

FINAL ENVIRONMENTAL IMPACT REPORT

SCH No. 2021010005

Mission Boulevard and Ramona Avenue Business Park Project

Prepared for:



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Acronyms and Abbreviations

Acronym/Abbreviation	Definition
AQMP	Air Quality Management Plan
CalEEMod	The California Emissions Estimator Model
CalEnviroScreen	California Communities Environmental Health Screening Tool
CalEPA	California Environmental Protection Agency
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CH ₄	methane
CNCP	Construction Noise Control Plan
CO	carbon monoxide
CO ₂	carbon dioxide
CRHR	California Register of Historical Resources
DEIR	Draft Environmental Impact Report
EIR	Environmental Impact Report
EV	electric vehicle
FEIR	Final Environmental Impact Report
GHG	greenhouse gas
GSEJA	Golden State Environmental Justice Alliance
HMCP	hazardous materials contingency plan
HRA	Health Risk Assessments
HVAC	heating, ventilation, and air conditioning
IS/MND	Initial Study/Mitigated Negative Declaration
LED	light emitting diodes
LOS	level of service
MT	metric ton
NEPA	National Environmental Policy Act
NO ₂	nitrogen dioxide
NOA	Notice of Availability
NRHP	National Register of Historic Places
O ₃	ozone
OEHHA	Office of Environmental Health Hazard Assessment
OPR	Office of Planning and Research
PRC	California Public Resources Code
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SEER	Seasonal Energy Efficiency Ratio
SRI	solar reflective index
SWRCC	Southwest Regional Council of Carpenters
TCR	tribal cultural resource

Acronym/Abbreviation	Definition
TDM	Transportation Demand Management
VMT	vehicle miles traveled
VOC	volatile organic compound
WAIRE	Warehouse Actions and Investments to Reduce Emissions
WEAP	Workers Environmental Awareness Program

1 Introduction

1.1 Introduction

This Final Environmental Impact Report (EIR) was prepared for the Mission Boulevard and Ramona Avenue Business Park Project (Project) in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000–21177).

Project Overview

The Project would involve demolition of all existing on-site structures and the construction of an eight-building business park on a 27.74-acre site located at the northwest corner of Mission Boulevard and Ramona Avenue in the southeastern part of the City of Montclair (City). In total, the Project would provide approximately 513,295 square feet of flexible industrial space 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. The Project would also involve implementation of a General Plan Amendment, Zone Change, Tract Map, Precise Plan of Design, and other ministerial permits, including an encroachment permit, grading permit, general construction permit, and street/lane closure permit. A detailed description of the Project is contained in the Draft EIR in Chapter 3, Project Description. As described below, the Draft EIR is incorporated herein as part of the Final EIR but provided under a separate cover.

Contents and Use of a Final EIR

As described in CEQA and the CEQA Guidelines, public agencies are charged with the duty to avoid or substantially lessen significant environmental effects, with consideration of other conditions, including economic, social, technological, legal, and other benefits. As required by CEQA, this Final EIR assesses the significant direct and indirect environmental effects of the Project, as well as the significant cumulative impacts that could occur from implementation of the Project. This Final EIR is an informational document only, the purpose of which is to identify the significant effects of the Project on the environment; to indicate how those significant effects could be avoided or significantly lessened, including feasible mitigation measures; to identify any significant and unavoidable adverse impacts that cannot be mitigated to less than significant; and to identify reasonable and feasible alternatives to the Project that would avoid or substantially lessen any significant adverse environmental effects associated with the Project and achieve the fundamental objectives of the Project.

Before approving a project, CEQA requires the lead agency to prepare and certify a Final EIR. The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines, as follows:

1. The draft EIR or a revision of the draft.
2. Comments and recommendations received on the draft EIR either verbatim or in summary.
3. A list of persons, organizations, and public agencies commenting on the draft EIR.
4. The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
5. Any other information added by the Lead Agency.

In accordance with the above-listed requirements, this Final EIR for the Project incorporates the publicly circulated Draft EIR, which is provided under a separate cover, and consists of the following:

1. All agency and public comments received during the public review comment period for the Project.
2. Responses to public comments.
3. Changes to the Draft EIR since it was circulated for public review.
4. The Project's Mitigation Monitoring and Reporting Program.

This Final EIR, in combination with the Draft EIR, as amended by text changes, constitute the EIR that will be considered for certification by the City and may be used to support approval of the proposed Project, either in whole or in part, or one of the alternatives to the Project discussed in the Draft EIR.

As required by Section 15090 (a) (1)-(3) of the CEQA Guidelines, a lead agency, in certifying a Final EIR, must make the following three determinations:

1. The Final EIR has been completed in compliance with CEQA.
2. The Final EIR was presented to the decision-making body of the lead agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
3. The Final EIR reflects the lead agency's independent judgment and analysis.

As required by Section 15091 of the CEQA Guidelines, no public agency can approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings (Findings of Fact) for each of those significant effects, accompanied by a brief explanation of the rationale for each finding, supported by substantial evidence in the record. The possible findings are as follows:

1. Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Additionally, pursuant to Section 15093(b) of the CEQA Guidelines, when a lead agency approves a project that would result in significant unavoidable impacts that are disclosed in the Final EIR, the agency must state in writing the reasons supporting the action. The Statement of Overriding Considerations must be supported by substantial evidence in the lead agency's administrative record.

The Draft Findings of Fact and Statement of Overriding Considerations are provided as a separate document that may be considered for adoption by the City at the time at which the Project is considered.

1.2 Contents and Organization

The Final EIR will be used by the City as an informational document for the proposed Project. The Final EIR, in compliance with Section 15132 of the CEQA Guidelines, is organized as follows:

Chapter 1, Introduction. This chapter provides general information on, and the procedural compliance of, the proposed Project and the Final EIR.

Chapter 2, Responses to Comments. This chapter includes a list of public agencies and individuals who provided comments on the Draft EIR during the public review period. Appendix B includes the comments received on environmental issues raised during the public review process for the Draft EIR and the City's responses to these comments. Each comment letter is numbered and presented with brackets indicating how the letter has been divided into individual comments. Each comment is given a binomial with the number of the comment letter appearing first, followed by the comment number. For example, comments in Letter 1 are numbered 1-1, 1-2, 1-3, and so on. Responses to specific comments are included in Chapter 2.2 of this Final EIR, each with binomials that correspond to the bracketed comments.

Chapter 3, Changes to the Draft Environmental Impact Report. This chapter contains a summary of changes made to the document since publication of the Draft EIR as a result of comments received. Revisions clarify information presented in the Draft EIR, and only minor technical changes or additions have been made. These text changes provide additional clarity in response to comments received on the Draft EIR, but do not change the significance of the conclusions presented in the Draft EIR. Changes are signified by ~~strikeout~~ text (i.e., ~~strikeout~~) where text was removed and by underline text (i.e., underline) where text was added.

Chapter 4, Mitigation Monitoring and Reporting Program. This chapter provides the Mitigation Monitoring and Reporting Program for the proposed Project. The Mitigation Monitoring and Reporting Program is presented in table format and identifies mitigation measures for the proposed Project, the party responsible for implementing the mitigation measures, the timing of implementing the mitigation measures, and the monitoring and reporting procedures for each mitigation measure. Project design features that were identified in the EIR are also included in this chapter to verify that these features are incorporated within the Project.

Draft EIR (Under Separate Cover). This Final EIR incorporates the Draft EIR as circulated during public review. The Draft EIR includes a detailed description of the Project, an analysis of the Project's environmental impacts, and a discussion of alternatives to the Project. The Draft EIR is available for review on the City's website at <https://www.cityofmontclair.org/current-projects-in-montclair>. Copies of the Draft EIR are also available for public review at the following location:

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

1.3 California Environmental Quality Act Review

In accordance with Section 15082 of the CEQA Guidelines, the City released an Initial Study and Notice of Preparation on January 4, 2021, for the required 30-day review period to interested agencies, organizations, and individuals. The purpose of the Notice of Preparation is to provide notification that an EIR for the Project was being prepared, and to solicit guidance on the scope and content of the document. The Notice of Preparation was sent to the State Clearinghouse at the California Governor's Office of Planning and Research. The State Clearinghouse assigned a state identification number (SCH No. 2021010005) to the Project. The Notice of Preparation was also posted at the County Clerk's office and on the City's website at <https://www.cityofmontclair.org/current-projects-in-montclair>. Copies of the Notice of Preparation were distributed to all applicable agencies and tribes on the City's noticing list, as well as surrounding property owners within 1,000 feet of the Project site. Hard copies of the Initial Study and Notice of Preparation were made available for review at both the City's Community Development Department, located at 5111 Benito Street, Montclair, California 91763. A public scoping meeting was held on January 13, 2021, via Zoom webinar, to gather additional public input on the scope of the environmental document. During the scoping meeting, the City did not receive any substantive comments on the scope of the environmental analysis to be included in the Draft EIR.

The 30-day public scoping period ended on February 3, 2021. Comments received during the 30-day public scoping period were considered during preparation of the Draft EIR. Copies of the comment letters received in 2021 are provided in Appendix A of the Draft EIR, and included comments from the following:

- Native American Heritage Commission
- California Air Resources Board
- South Coast Air Quality Management District
- Inland Empire Biking Alliance
- Lozeau Drury, LLP
- Gabrieleno Band of Mission Indians - Kizh Nation
- CREED LA
- Adams Broadwell Joseph & Cardozo on behalf of the District Council of Ironworkers

Comments focused on potential impacts and issues related to the air quality, tribal and cultural resources, and transportation. Issues, concerns, and potential impacts raised in comment letters received during the 2021 public scoping period were discussed and addressed in the Draft EIR, and no further response to these comments is needed in this Final EIR.

A Notice of Availability of the Draft EIR was sent to agencies and interested parties on January 10, 2022, and the Draft EIR was circulated for a public review period from January 10, 2022, through February 25, 2022¹. The Notice of Availability was also posted at the County Clerk's office and both the Notice of Availability and Draft EIR were posted on the City's website. Copies of the Notice of Availability were distributed to all applicable agencies and tribes on the City's noticing list, as well as surrounding property owners within 1,000 feet of the Project site. The Notice of Availability was posted in the Inland Valley Daily Bulletin on January 10, 2022. Hard copies of the Draft EIR were made available for review at both the City's Community Development Department, located at 5111 Benito

¹ Due to a processing delay when the Notice of Availability (NOA) was submitted to the San Bernardino County Clerk, the NOA was not formally posted until January 11, 2022. As such, the County Clerk extended the local review period until February 25, 2022.

Street, Montclair, California 91763, and at the Montclair Public Library located at 9955 Fremont Avenue, Montclair, California 91763.

The City received 69 comment letters during the 2022 Draft EIR public review period and 2 comment letters shortly after the public review period. A list of the comments received, copies of the comment letters received, and responses to comments are included in Chapter 2 of this Final EIR.

Per CEQA Guidelines Section 15088, responses to comments submitted by public agencies are required to be provided to the commenting agency at least 10 days prior to the public hearing at which the EIR and Project will be considered. However, no comments were received by the City from public agencies. Notwithstanding, the City has distributed a NOA of a Final EIR to all parties that were previously provided a NOA of the Draft EIR, as well as parties that commented on the Draft EIR. The City has also posted this Final EIR on the City's website. Hard copies of the Final EIR were made available for review at the City's Community Development Department, located at 5111 Benito Street, Montclair, California 91763.

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2 Responses to Comments

This chapter of the Final Environmental Impact Report (EIR) for the Mission Boulevard and Ramona Avenue Business Park Project (Project) includes a copy of all comment letters that were submitted during the public review period for the Draft EIR, along with responses to comments in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15088. The 46-day public review period for the Draft EIR began on January 10, 2022, and ended on February 25, 2022.

The responses amplify or clarify information provided in the Draft EIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the Project unrelated to its environmental impacts) are noted for the record. Where text changes in the Draft EIR are warranted based on comments received, updated Project information, or other information provided by City staff, those changes are noted in the response to comment and the reader is directed to Chapter 3, Changes to the Draft EIR, of this Final EIR.

The changes to the analysis contained in the Draft EIR represent only minor clarifications/amplifications and do not constitute significant new information. In accordance with CEQA Guidelines Section 15088.5, recirculation of the Draft EIR is not required.

All written comment letters received on the Draft EIR are listed in Table 2-1. All comment letters have been coded with a number to facilitate identification and tracking (see Table 2-1). These numbered comment letters were reviewed and divided into individual comments, with each comment containing a single theme, issue, or concern. Individual comments and the responses to them were assigned corresponding numbers (e.g., 1-1, 1-2, 1-3). To aid readers and commenters, electronically bracketed comments have been reproduced in this document, with the corresponding responses provided immediately following the comments.

Table 2-1. Comments Received on the Draft EIR

Comment Letter Designation	Commenter	Date
<i>Individuals</i>		
P1	Steven Lopez	January 19, 2022
P2	Solomon Bates	January 19, 2022
P3	Gladis Sanchez	January 19, 2022
P4	Marisela Mendez	January 20, 2022
P5	Joseph Wilkewicz	January 20, 2022
P6	Susie Russell-Wagner	January 20, 2022
P7	Devlin Smith	January 20, 2022
P8	Ryan Arcid	January 20, 2022
P9	Celest Baca	January 20, 2022
P10	Alyssa Marie	January 20, 2022
P11	Emmeline Vargas	January 21, 2022
P12	Kimmie Blincoe	January 21, 2022
P13	Kristina Warren	January 22, 2022
P14	Dennis Graham	January 22, 2022
P15	Terrance Johnson	January 24, 2022

Table 2-1. Comments Received on the Draft EIR

Comment Letter Designation	Commenter	Date
P16	Vincent Salgado	January 27, 2022
P17	Erin Michaela Sweeney	January 30, 2022
P18	Jessica Gaytan	February 1, 2022
P19	Dakota Hill	February 2, 2022
P20	Melissa Arias	February 2, 2022
P21	Alliah Badawi	February 2, 2022
P22	Alondra Cobian	February 2, 2022
P23	Eddy Rocha	February 2, 2022
P24	Julieta M.	February 2, 2022
P25	Lizbeth Valdivia-Jauregui	February 2, 2022
P26	Maricruz Santander	February 2, 2022
P27	Milo Santamaria	February 2, 2022
P28	Arianna Lerdo	February 3, 2022
P29	Gabrielle Estrada	February 3, 2022
P30	Geoffrey Siacunco	February 3, 2022
P31	Guadalupe Loza-Mendez	February 3, 2022
P32	Hector Santana	February 3, 2022
P33	Jessica G Gonzalez	February 3, 2022
P34	Jessica Pereabras	February 3, 2022
P35	Johanna Garcia	February 3, 2022
P36	Jorge Luquin	February 3, 2022
P37	Kelli Hills	February 3, 2022
P38	Sarah Atencio	February 3, 2022
P39	D Mc	February 4, 2022
P40	Aaron McCain	February 5, 2022
P41	Angela Groom	February 6, 2022
P42	Ann Johnson	February 6, 2022
P43	Carly Cabral	February 7, 2022
P44	Roxana Bautista-Laredo	February 8, 2022
P45	Christine Ross	February 17, 2022
P46	Paul C.	February 17, 2022
P47	Dennis Callaci	February 18, 2022
P48	M. Sawyer	February 18, 2022
P49	Darryl Molina Sarmiento	February 22, 2022
P50	Isabella Raman	February 22, 2022
P51	Karen J Stuart	February 22, 2022
P52	Mohammad Izadpanah	February 22, 2022
P53	Stacy Brzozowski	February 22, 2022
P54	Ben Benjamin	February 23, 2022
P55	Catherine Guffey	February 23, 2022
P56	Dennis Callaci	February 23, 2022
P57	Dora Scalco	February 23, 2022
P58	Fredia Lynn Doyle	February 23, 2022
P59	Kristen Conway-Gomez	February 23, 2022

Table 2-1. Comments Received on the Draft EIR

Comment Letter Designation	Commenter	Date
P60	Larisa McKenna	February 23, 2022
P61	Marilyn Sheridan	February 23, 2022
P62	Rob Pipersky	February 23, 2022
P63	Marcella Zita	February 23, 2022
P64	Yvonne Cervantes Coleman	February 23, 2022
P65	Gissell Padilla	February 24, 2022
P66	Sal Gomez	February 24, 2022
P67	Jenna Streety	February 24, 2022
Organizations		
O1	Golden State Environmental Justice Alliance	February 22, 2022
O2	Golden State Environmental Justice Alliance	March 1, 2022
O3	Southwest Regional Council of Carpenters	February 24, 2022
O4	Southwest Regional Council of Carpenters	March 23, 2022

In the interest of providing a comprehensive response, and avoiding duplication, where multiple commenters have addressed the same issue, Thematic Responses have been prepared to address common themes raised by multiple commenters. These Thematic Responses are provided below, followed by the comment letters and responses to individual comments. These Thematic Responses are as follows:

- Thematic Response 1: Land Use and Drive-In Theater Closure
- Thematic Response 2: Historic Resources
- Thematic Response 3: Air Quality and Greenhouse Gas Emissions

2.1 Thematic Responses

Thematic Response 1 – Land Use and Drive-In Theater Closure

This thematic response addresses concerns several commenters raised that the closure of the Mission Tiki Drive-In Theater would result in the loss of a community gathering space in the City, and that the City should consider other land uses for the redevelopment of the site.

Introduction

Many commenters express concern about the loss of the Mission Tiki Drive-In Theater and swap meet (Drive-In), which is one of the current uses on the Project site. It is important to note that this Final EIR and response to comments is intended to focus on the physical environmental changes caused by the Project. As such, the loss of the Drive-In is not an environmental issue of concern under CEQA. Nonetheless, the CEQA Guidelines do permit

economic and social information to be included in an EIR.² Accordingly, since the closure of the Drive-In does have relevance to the Project’s background, it is therefore discussed in this response.

As a prelude to this discussion, it should be noted that the City recognizes the concerns raised by many of the commenters regarding the closure of the Drive-In. It is recognized that the Drive-In has long served as a community gathering place and source of entertainment for generations of City residents and visitors. However, in the context of the City’s land use authority, the City is limited in its ability to control a private landowner’s actions beyond the powers granted to the City under California Planning and Zoning Law. As discussed in the Draft and Final EIR, the City’s review of the Project is generally limited to (1) review of the Project’s consistency with the City’s land use regulations and policy documents, (2) ensuring the Project’s environmental effects are adequately evaluated, disclosed, and if necessary, mitigated to the maximum extent feasible, and (3) evaluating the merits of the requested discretionary entitlements. Notably, the City does not have authority over the closure of the Drive-In because it is a privately owned business, and the City does not have the authority to compel the property owner to continue operation of a private business. This decision is at the sole discretion of the property owner. As discussed further below, the property owner, as well as the current operator of the Drive-In, have determined that continued operation of the Drive-In is not economically viable and would result in long-term financial losses. Hence, the property owner has decided to close the Drive-In. Should the City not grant the requested entitlements for the Project, it is very likely that the Drive-In would close regardless of any decision made with regard to the Project and the Project site would sit vacant, as discussed further below.

Given that the closure of the Drive-In is not a decision over which the City has any influence or control, this response provides context regarding the economic factors that led the Project Applicant to propose the Project, the land use and zoning factors considered as part of this environmental review effort, and other efforts that are being implemented by the City as part of ongoing long range planning efforts to facilitate the development of community-focused spaces within the City.

Mission Tiki Drive-In Theater Background

The Drive-In was first established in 1956. Its establishment was part of a larger strategy by DeAnza Land and Leisure (the previous Drive-In Theater’s owner and previously named Sero Amusement Company) to acquire land that would eventually be redeveloped, while at the same time, operating a commercial drive-in use to generate revenue in the near and mid-term (Los Angeles Magazine 2021). Similar to other drive-in theaters, the Mission Tiki Drive-In initially experienced strong success. However, changing consumer habits and the widespread proliferation of indoor cinemas led to a dramatic change in the success of drive-in movie theaters. Following their peak in the late 1950s when there were approximately 4,000 theaters nationwide, drive-in theaters have declined substantially in numbers. As of 2019, fewer than 350 drive-in theaters remain operational in the United States (UDITOA 2019). Remaining drive-ins are typically located in smaller towns, tend not to compete with each another, and face competition from indoor cinemas that typically have more screens and more movie choices (Fox and Black 2020). According to the previous owner, these trends certainly affected the viability of the Mission Tiki Drive-In, and bleak financial prospects led to the decision to sell the Drive-In given that long-term projections indicated that continued operation of the current use would not be profitable or economically sustainable (Atwell, pers. comm. 2022). Moreover, the sale of the property was always envisioned as part of DeAnza Land and Leisure’s business strategy (Atwell, pers. comm. 2022).

² Section 15131 of the CEQA Guidelines provides that economic or social information may be included in an EIR, but economic or social effects shall not be treated as significant effects on the environment. Rather, the focus of the analysis should be on the physical environmental changes caused by a project.

Sale of the Drive-In and Project Background

The Project Applicant acquired the Drive-In property in 2019 and submitted an application to the City for development of the currently proposed Project. At the time, the Project Applicant was aware that the City had initiated the process to update its General Plan, which is still in progress. Based on conversations with the City and a review of the draft conceptual General Plan Land Use Map that would be included in the General Plan Update, the Project Applicant understood that the Project site's General Plan Land Use designation would be changed from General Commercial to Mixed-Use Commerce. According to the draft General Plan, the Mixed-Use Commerce land use designation would allow for a wide variety of office and large-format retail and commercial activity along with multifamily dwellings. Uses would include light industrial uses including research and development uses, small scale manufacturing, professional and medical office, and traditional business parks. With adoption of the proposed General Plan, the proposed Project would be an allowable use and consistent with the General Plan. The Project Applicant considered waiting for this process to be completed prior to proceeding with the Project in the hopes that it would better facilitate entitlement of the Project. However, due to uncontrollable circumstances, the General Plan update process encountered delays and is still in progress. After encountering these delays early on in the planning process, the Project Applicant decided to proceed with development plans under the current land use designations and regulations.

Ongoing Operation of the Drive-In

When the Drive-In was sold to the Project Applicant in 2019, the Project Applicant voluntarily allowed the previous owner (and operator of the Drive-In) to continue to operate the Drive-In rent-free in the short-term until plans for redevelopment had advanced further. During this time, the COVID-19 pandemic hit the world, and after an initial closure, the Drive-In reopened. At the time, the Drive-In was one of the few available businesses in the area that was open because it allowed for patrons to adhere to social distancing requirements while viewing films. These circumstances led to a considerable increase in the patronization of drive-in theaters nationwide (S&P Global 2020), and according to the previous landowner, the economics of the Drive-In improved slightly during the COVID-19 pandemic (Atwell, pers. comm. 2022). However, following the easing of public health and safety restrictions, revenues have decreased dramatically from their temporary highs. Notwithstanding the fact that the property has been sold, the operator of the Drive-In does not anticipate that the drive-in theater will continue being economically viable as restrictions continue to be eased by local and state public health officials (Atwell, pers. comm. 2022).

Economic Drivers of the Project

Recognizing these trends, the underutilization of the Project site over the past decade, and the previous landowner's decision to sell the Drive-In, the Project Applicant purchased the site with plans to redevelop the site with the proposed Project.

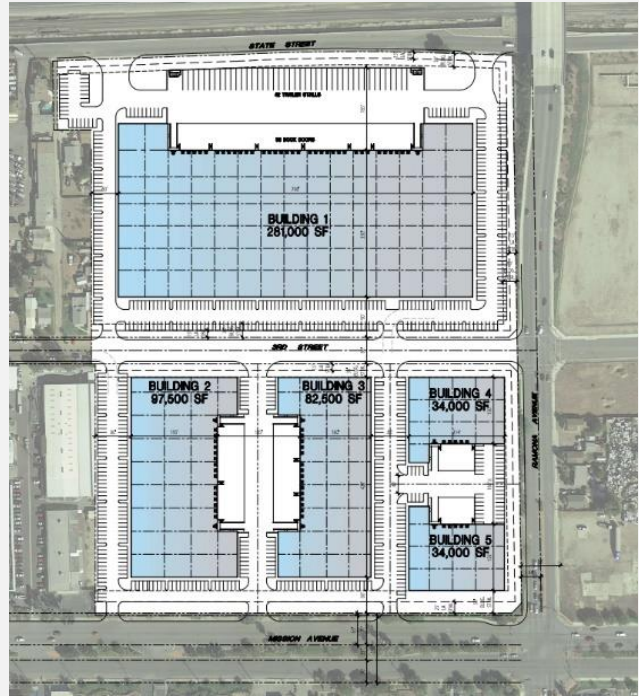
Many commenters express sentiments that the area does not need more industrial space and voice concerns that the Project's buildings may sit vacant. However, in contrast to the drive-in theater, which the Project Applicant does not view as profitable or sustainable, the Project Applicant anticipates that the proposed Project would be an economically viable use, primarily because it would meet substantial unmet demand for flexible industrial facilities in the region. As discussed in the Draft EIR's Project Description (Section 3.4, Purpose and Need), the Inland Empire remains one of the most sought-after markets for industrial space. Over an 11-year period from 2010 to 2021, the Inland Empire's industrial vacancy rate dropped from 10% in 2010 to a margin of 0.7% at the end of 2021 (C&W 2022). Within the Montclair sub-market, industrial vacancies are virtually non-existent, as the vacancy rate is at 0.0% at two numbers of mathematical significance (C&W 2022). Decreases in the availability of industrial facilities resulted in double-digit increases in asking prices for rents in the Inland Empire market, which rose 17.8% in a 1-year period

between 2020 and 2021 (C&W 2022). Market reports indicate that the region will continue to see strong demand for industrial facilities driven by the needs of retail and e-commerce users for facilities with modern amenities to maximize distribution efficiency, as well by as the scarcity of available facilities in the more expensive Los Angeles and Orange County industrial markets (C&W 2022). According to the Project Applicant, these trends influenced their decision to proceed with the Project, and in effect, the closure of the Drive-In (Atwell, pers. comm. 2022).

Evolution of the Proposed Project

While the City is limited in its ability to control a private landowner’s actions, City staff within the Community Development Department worked with the Project Applicant at the start of the Project’s planning process to influence the ultimate design of the Project. When the Project Applicant first approached the City with the proposed development plan, the Project was in an earlier iteration of design and involved the development of a total of 8 buildings equating to 529,000 square feet, approximately 15,705 square feet larger than the current Project (see Exhibit 1). This site plan called for the development of three larger buildings, akin to Buildings 7 and 8, and three smaller buildings, akin to Buildings 1 through 6. This site plan was a product that the Project Applicant was most familiar with developing and had previously developed in other jurisdictions throughout the Inland Empire. However, this was not a product of which City staff was in favor, and the Project Applicant subsequently voluntarily decreased the Project’s size to provide for the product that is currently proposed. The revised and current site plan contained less space within larger buildings and more space within smaller buildings. This site plan was preferred by City staff over the earlier iteration because it would allow for the development of more space within the smaller buildings, which would provide for a more diverse mix of business park uses and better support a mix of potential manufacturing, office, e-commerce, medical storage, laboratory, and research and development uses that could accommodate these uses. This more diverse building mix was also determined by City staff to be more consistent with the vision of the draft General Plan’s Mixed-Use Commerce land use designation.

Exhibit 1. Earlier Site Plan Iteration



Source: GAA Architects 2018.

Alternatives and Suitability of the Project Site for the Project

Many commenters have expressed that the City should consider other land uses for the Project site, such as park space, a community center, low-income housing, commercial uses, and mixed-use commercial and residential uses. Many of these alternative uses were considered as part of the Draft EIR’s alternatives analysis. However, they were rejected because they could not accomplish the basic objectives of the Project, they would not have resulted in a reduction of significant adverse environmental impacts, or they were considered infeasible to construct or operate (see Chapter 7, Alternatives, of the Draft EIR). Moreover, the Project is generally consistent with existing and

probable-future land use trends in the area.³ The Project site is located within the Mission Boulevard corridor (generally between Holt Boulevard to the north and Mission Boulevard to the south), which has long been an area with industrial uses. This is, in part, due to the area containing the Union Pacific Railroad line, a regional freight corridor. Historically, industrial businesses took advantage of this rail line to transport goods directly from storage, processing, and manufacturing facilities within the Mission Boulevard corridor. Today, it has the highest share of industrial uses within the City, and approximately 71.9% of the area contains industrial land uses (City of Montclair 2019). From a planning and land use perspective, it is logical to continue to designate this area for industrial and other non-residential uses because both the freight corridor and existing industrial uses can result in undesirable environmental factors, such as elevated local noise and air pollution. Other risks may also preclude the development of alternative uses, such as residential and commercial uses, in these areas. Moreover, the Project site was previously used for industrial operations up through the 1970s, prior to the establishment and expansion of the Drive-In. While many commenters may be opposed to the Project on the principle that it is an industrial land use, the City's General Plan recognizes that a wide range of land uses are necessary to promote a prosperous community and sound economic base. Specifically, General Plan Policy LU-1-1.32 states that it is a policy of the City to “encourage the use of the industrial park or business park concept for the development of industrial land.” Given that the Project would be located within the Mission Boulevard corridor, which has long been an established industrial corridor, the Project is thus consistent with the City's land use and planning strategy.

Response to Loss of Entertainment Use and Community Gathering Space

As discussed earlier in this response, the City recognizes that the closure of the Drive-In would result in the closure of a space that has been visited by generations of City residents and visitors. However, the Drive-In is not a public resource, and the City does not have the authority to compel the Project Applicant to continue to operate a private business, or to make the Project site available for community use or benefit. Nonetheless, the City, as a government agency, does have the authority to provide public spaces for the benefit of the community, as well as the authority to implement policies that encourage landowners and business to develop spaces that provide community services and are community-focused. These processes are implemented through long-term planning and economic development efforts, including through updating the General Plan and in developing specific plans. As mentioned previously, the City is currently in the process of updating its General Plan. The draft General Plan contains a multitude of policies aimed at promoting and ensuring inclusive and equitable access to a range of opportunities for physical activities including parks, open space, and recreation. Policies also focus on encouraging vibrant and walkable urban spaces that provide a mix of entertainment, retail, and residential uses. This vision is further implemented through the preparation and adoption of specific plans. In 2020, the City adopted the Montclair Place District Specific Plan to enable the transformation of the Montclair Place (Mall) site into an urban pedestrian-friendly transit-oriented downtown core. In 2017, the City amended the North Montclair Downtown Specific Plan to establish the framework for a transit-oriented downtown environment that leverages the extension of the Metro Gold Line to the City. Since the adoption of these plans, the City has started to see interest from developers who see opportunities to construct developments in these areas consistent with the visions in the plans. Taken together, these strategies are being employed on several fronts by various City departments to create spaces that enhance the City's identity, create space for community interaction, and provide places for City residents and visitors to eat, live, and play.

³ As discussed previously, the City is currently in the process of updating its General Plan, and the Project would be consistent with the proposed mixed-use commerce land use designation. The Project currently requires a General Plan Amendment and Zone Change to support the proposed use, but this is largely a byproduct of the fact that the Project site currently has conflicting General Plan land use designations and zoning designations that preclude almost any development.

Conclusion

In summary, the City acknowledges comments that express concern over the closure of the Drive-In, particularly given that the Drive-In has long served as an important community gathering space and source of entertainment of generations of City residents and visitors. However, the City also recognizes the Project Applicant's legal right to cease operation of the Drive-In and redevelop the Project site. As the lead agency, the City is thus tasked with evaluating the proposed Project in the context and scope bestowed upon it by California Planning and Zoning Law, which includes ensuring the Project is consistent with the requirements of CEQA and considering the merits of the Project's requested discretionary entitlements. As detailed within this EIR, the City has found that it has adequately evaluated the Project under CEQA and it is thus up to the City's decisionmakers to evaluate whether to approve the Project. .

Thematic Response 2 – Historic Resources

This thematic response addresses comments that the Mission Tiki Drive-in is a historic resource.

Response

There are two potential built environment resources on the Project site that were evaluated for historical significance under CEQA in the Draft EIR. These two potential resources are the Mission Tiki Drive-In Theater (10798 Ramona Avenue and 4363–4366 State Street) and the Montclair Tire Company building (4485 State Street). Both of these potential resources are over 45 years old and were evaluated for historical significance and integrity in consideration of National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), and City of Montclair designation criteria and integrity requirements. This response focuses on the Mission Tiki Drive-In Theater (Drive-In) as the primary focus of the commenters claiming the potential for the property to be a historical place or landmark.

The NRHP is the United States' official list of districts, sites, buildings, structures, and objects worthy of preservation. For a property to be listed in or determined eligible for listing, it must be demonstrated to possess integrity and to meet at least one of the following criteria:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded, or may be likely to yield, information important in prehistory or history.

Integrity is defined in NRHP guidance as “the ability of a property to convey its significance. To be listed in the NRHP, a property must not only be shown to be significant under the NRHP criteria, but it also must have integrity.”

In California, the term “historical resource” includes but is not limited to “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (California Public

Resources Code [PRC] Section 5020.1(j)). According to PRC Section 5024.1(c)(1–4), a resource is considered historically significant if it (i) retains “substantial integrity,” and (ii) meets at least one of the following criteria:

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

The City of Montclair has a landmark designation ordinance which states that a building or structure may be designated a historic landmark if it is found that one or more of the following conditions exist with reference to such building or structure:

- A. The proposed landmark is particularly representative of a historical period, type, style, region or way of life;
- B. The proposed landmark is an example of a type of building which was once common but is now rare;
- C. The proposed landmark is one of the best remaining examples of a particular architectural type or style in the area;
- D. The proposed landmark is identified with persons or events significant in local, State or national history;
- E. The proposed landmark is representative of the notable work of a builder, designer or architect.

A property may be deemed historic under NRHP, CRHR, or local ordinances if the criteria stated above are met. As part of the historical resources technical report for the Project, cultural resources specialists conducted archival research at the City of Montclair Building Division, the San Bernardino County Office of the Assessor, the San Bernardino County Archives, the Historical Society of Pomona Valley, the Arda Haenszel California Room at the San Bernardino Public Library, the Montclair Branch of the San Bernardino County Library and reviewed historical aerial photographs.

The Drive-In opened on May 28, 1956, just after the City was incorporated, as the Mission Drive-In Theater. At the time of its opening, the Mission Drive-In was the third largest drive-in theater in Southern California with a 1,350-car capacity and featured a single, curved CinemaScope screen. Other features included the snack bar, two box offices, the latest projection and sound systems, and a playground for children to play in front of the screen. As early as 1960, the Mission Drive-In Theater also hosted a Swap Meet during daytime hours.

In a review of historical photographs, the Drive-In appears for the first time in 1959. The Mission Drive-In Theater is oriented towards a curved screen in the southeast corner of the property. A structure, likely an office or concession stand, is located in the center of the fan-shaped parking area. By the 1968 photograph, the Montclair Tire Company building appears along State Street, at the northwest corner of the Project site.

Between 1972 and 1976, the original screen was demolished, and the property was converted to an outdoor four-plex theater, with a screen and fanned out parking in all four corners of the property. The office/concession stand in the center of the property appears to have received additions between 1972 and 1976. The entrance configuration was changed as well: in the earlier photographs, there were two entrances at the southeast corner of the property from both Ramona Avenue and Mission Boulevard and all cars would pass ticket booths in the southeast corner before entering the single screen area. By 1976, the approach layout changes, and cars enter the property from Ramona Avenue to pass ticket booths in the northeast corner of the property before entering the individual screens from the north.

While there were outdoor showings of motion pictures since at least the 1910s, the first drive-in movie theater was opened in 1933 in Camden, New Jersey, by Richard M. Hollingshead, Jr. Hollingshead sought a patent for his idea, which is consistent with drive-in theaters through the present-day: a location in a field, proximity to a highway, a screen facing the field and shielded by a wind-resistant screen-housing structure, a series of inclined ramps for automobile parking arranged in row radiating out in a semi-circle around the screen, and a projection booth.

The popularity of drive-in theaters grew after World War II due to many factors. Veterans returning from the war were relocating to the suburbs and having families. Drive-in theaters were popular with families with children because of the freedom within a private car's space and isolation from other patrons. A crying baby would not disturb an entire audience. Additionally, technology improved in the late 1940s at drive-in theaters with the advent of in-car speakers. In the 1950s, Cinemascope screens were invented, which allowed for wide-screen film viewing. As a result, drive-in theaters became immensely popular from 1946 through the late 1950s. Where just over 50 drive-in theater businesses had been present in 1940, by 1950, over 1,700 drive-ins were reportedly in business throughout the U.S. Drive-in theater business models also added amenities to appear more child-friendly, including adding playground equipment, swimming pools, diaper and baby bottle services, and on-site entertainment and attractions, such as miniature golf courses and petting zoos.

By 1960, drive-in theater construction was in decline. Several factors played into this decline: limitations presented by seasonal operation, increased home television ownership, and suburban sprawl. Most drive-ins were initially located in rural areas away from city lights and pressures to develop. However, as suburban sprawl moved into spaces on the margins of cities, drive-ins were seen as an inefficient use of space. Many drive-in theaters closed in the 1970s and 1980s. Later in the 1980s and 1990s, drive-ins also had to compete with the multiplexes, theaters that hosted multiple screens, rather than being limited to one or two indoor auditoriums.

In the Inland Empire especially, drive-in theaters were fairly common in town centers and along the periphery of development during the 1950s and 1960s. The first to be established was near the subject property, the Valley Drive-In Theater in Montclair, located at Holt Boulevard and Central Avenue. It opened in 1947, closed in 1977, and was demolished in 1980. Another was the Mt. Vernon Motor-In Theater, just outside of San Bernardino at Mt. Vernon Avenue and Mill Street, which opened in 1948, shortly after Valley Drive-in. Another was the Mt. Baldy Drive-In Theater in La Verne, which was constructed in 1964 at the corner of Foothill Boulevard and White Avenue. It was demolished in 1988 to make way for a shopping center. These early theaters, like many other popular theaters throughout the country, attracted young parents and families as their customer base, offering free toys, bottle-warming, and diaper services. Other theaters in the Inland Empire and surrounding area were opened in the 1950s and 1960s, though the majority of these have since closed.

As detailed in the Historical Resources Technical Report (Appendix D of the Draft EIR), the Drive-In exhibits a Mid-Century Modern architectural style and Pop style called Tiki/Polynesian which was popular in the United States between 1940 and 1970. After World War II, American soldiers who had been stationed in the Pacific Theater fed a romanticized version of the cultural practices and vernacular architecture of Polynesia and Hawaii. At its core, tiki culture and by extension, its architectural expression was defined by thematic, Polynesian elements, including tiki carvings, palm trees, coconut decorations, torches, specialty cocktails, bright colors and patterns, and rattan furniture.

Aesthetically, Mid-Century Modern is a term used to describe the evolution of the International Style after World War II and encompasses a range of building forms and property types. While Mid-Century Modern architecture uses industrial materials and geometric forms, the style often references local vernacular traditions, particularly in the use of wood and the relationship between indoor and outdoor spaces. Mid-Century Modern is characterized by more solid wall surfaces as opposed to large planes of glass and steel that characterize the International Style.

The Drive-In was evaluated under NRHP and CRHR criteria and was not found to meet any of the criteria for listing in the NRHP or CRHR, either individually or as part of an existing historic district. While research showed that the Drive-In was associated with a popular, national trend of drive-in theaters opening in suburban and rural areas in the 1940's through the 1960's, the Drive-In does not appear to be an early regional prototype of the single screen drive-in theater property type (as it was originally constructed). The configuration of the Drive-In following alterations that converted it into a four-plex does not appear to be an innovative or groundbreaking solution to make the Drive-In competitive with indoor, or "hardtop" multiplex theaters of the 1970s. This was a common alteration of the time. The Drive-In in both its single screen and four-screen configurations does not appear to be a particularly influential example of a drive-in theater that could have driven the popularity of the drive-in trend either at the local, state, or national level. It was also not an influential property in the history of the City of Montclair or surrounding cities. The area of the city that the Drive-In was located in was not annexed to the City until 1980, long after the significant periods of the city's growth and development. No specific historical events that have made a significant contribution to the broad patterns of history are associated with the Drive-In.

Archival research revealed that the Drive-In was owned by Sero Amusement Company and by local theater owners Arnold and Jack Anderson, who also operated the California Theater and Chino Theater in Ontario. Despite their prominence as local theater owners, archival research did not uncover any reason to believe that Arnold and Jack Anderson were significant figures in the past. Sero Amusement Company, founded by William Henry Oldknow II in 1949, was an influential organization and owned many of the Los Angeles, San Bernardino, and Riverside County drive-in theaters. The Drive-In was neither the first nor the prototype for the drive-in theaters owned by the Sero Amusement Company, De Anza Land and Leisure Company, or William Henry Oldknow II. The subject property does not appear to reflect an important period or location for these companies, or the men associated with them.

The Drive-In was constructed in 1956 and altered twice: in 1975 and 2006. It is a combination of applied Tiki/Polynesian Pop architectural style and Mid-Century Modernism; however, the Drive-In is not a good representation of either style. The Mid-Century Modern buildings (Projection Building/Snack Bar, Office, and Warehouse) have numerous alterations and lack many of the character-defining features of the style, including lack of exterior decoration; flat roof with parapet or cantilevered canopy; and flat, exterior walls with smooth cladding. The buildings at the Drive-In are plain and have a few of the Mid-Century Modern character-defining features, but otherwise do not embody the distinctive elements of the style and are not good examples of the style. The Tiki/Polynesian Pop architectural elements (signs, marquee, ticket booths) are anachronistic and not representative of the historical appearance of the original drive-in. These elements, while rooted in historic nostalgia for the 1950s and 1960s, were applied in 2006, and are not accurate representations of the original period of operation for the Drive-In. The Drive-In's theater screens were altered in 1975, demolishing the original single screen and reconfiguring the site layout to accommodate four screens. The Drive-In in its current four-screen form does not appear to be a significant example of the drive-in theater and does not display the significant character-defining features of the property type in multiple aspects of design. Therefore, in addition to not being a good representation of an architectural type or original method of construction, due to multiple alterations, the property no longer conveys the character-defining features to reflect architectural significance from its original and 1976 construction dates. Lastly, the Drive-In is not a source of important historical information, nor does it appear likely to yield important information about historic construction methods, materials, or technologies.

The Drive-In maintains integrity of location, as it remains in its original location. However, the subject property does not maintain integrity of setting, as the surrounding neighborhood and streetscape have been altered significantly since the time of construction. As the City limits expanded south, the once-industrial area along the railroad on the outskirts of Montclair became increasingly residential, with commercial/retail uses along the major roads. Demolition of original features and alterations to the Drive-In buildings and structures has substantially impacted

integrity of design, materials, and workmanship. All buildings from the 1956 date of construction have been altered such that they can no longer convey their original purpose, use or architectural style.

Many commenters state that the Drive-In is one of the last remaining drive-in theaters in the area. Though this is true, due to substantial alterations, the theater lacks the integrity to convey its original and subsequent period of construction and operation. More intact examples of the drive-in theater property type are located at the Rubidoux Drive-In and the Van Buren Drive-In in Riverside County, as well as at the Skyline Drive-In in Barstow and the Smith's Ranch Drive-In in Twenty-Nine Palms in San Bernardino County. These theaters maintain their original screens, and several retain their original historical signs, marquees, and snack shop buildings.

Many commenters have also stated the importance of the Drive-In to their memories growing up in Montclair and that going to the movie theater and swap meet has long been an important social activity within the community. While the theater has undoubtedly provided a source of entertainment and means for community gathering for a multitude of both residents and visitors over generations, these factors are limited in their utility to affect a property's historical significance. Rather, a property's historical significance is defined by the criteria used to evaluate a property for listing in the NRHP, the CRHR, or under the City's landmark designation ordinance. As discussed above and within the Historical Resources Technical Report, the property does not meet these criteria because it lacks important historical associations, lacks architectural merit, lacks its original integrity, and does not appear to be a contributor to a historic district.

In summary, because the Mission Tiki Drive-In Theater is not eligible to be considered a significant historical resource for listing in the NRHP and CRHR or under the City's landmark designation ordinance, it is not considered a historic resource under CEQA.

Thematic Response 3 – Air Quality and Greenhouse Gas Emissions

This thematic response addresses comments expressing concerns that the Project would result in significant and unavoidable impacts with regard to air quality and greenhouse gas (GHG) emissions, as well as other concerns regarding environmental justice, health effects associated with air pollutant emissions, and potential air pollutant impacts on sensitive receptors such as nearby residences and schools. This thematic response focuses on comments that did not raise issues or concerns regarding the adequacy of the Draft EIR's Air Quality and GHG analysis⁴; thus, it attempts to summarize the technical analysis, explains how and why these impacts would occur, and discusses what will be done to reduce and minimize these effects.

Additionally, while every effort was made during preparation of the Draft EIR to present the Project's impacts in a way that is easily understandable to the everyday reader that is not well-versed in the technical nuances of air quality and GHG emissions, any air quality and GHG analysis inherently requires some understanding of the complex regulatory setting and science of air pollutant and GHG emissions. As such, this summary attempts to distill the Project's air quality and GHG emissions analysis into a more concise and accessible summary. For additional detail about the analysis, the reader is invited to read Section 4.1, Air Quality, and Section 4.6,

⁴ Only one comment letter was submitted that raised concerns regarding the adequacy of the Draft EIR's Air Quality and GHG technical analysis (Comment O-1). Please refer to Response to Comment O1 in which these concerns are addressed. As detailed in Responses to Comments O1-1 through O1-63, the City maintains that the analysis presented is technically sound, based on substantial evidence, and legally adequate pursuant to CEQA. The comment letter was subsequently rescinded by the commenter and the commenter issued a letter of support in favor of the Project (Comment O2).

Greenhouse Gas Emissions, of the Draft EIR for additional background information and detail pertaining to the Project's air quality and GHG emission impacts.

Overview of the Draft EIR's Air Quality and GHG Analysis

As part of the Draft EIR's environmental analysis, the Project was evaluated with respect to all environmental checklist questions provided in Appendix G of the CEQA Guidelines for air quality and GHG emissions. These checklist questions were used to determine the significance of the Project's impacts. The Appendix G environmental checklist questions and the Draft EIR's findings of significance are provided below for air quality and GHG emissions.

Air Quality

- A. Would the Project conflict with or obstruct implementation of the applicable air quality plan?
Yes. The Project would conflict with Consistency Criteria No. 1 and No. 2 of the South Coast Air Quality Management District (SCAQMD) 2016 Air Quality Management Plan. Despite implementation of mitigation measures, this impact would be significant and unavoidable.
- 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?
Yes. At the project and cumulative levels, operation-generated emissions would exceed the SCAQMD's threshold of significance for oxides of nitrogen (NO_x) and contribute to the non-attainment of ozone standards in the South Coast Air Basin (SCAB). Despite implementation of mitigation measures, impacts would be significant and unavoidable.
- C. Would the Project expose sensitive receptors to substantial pollutant concentrations?
No. With implementation of mitigation measures, the Project would not expose sensitive receptors to substantial pollutant concentrations.
- D. Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?
No. The Project would not generate other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Greenhouse Gas Emissions

- A. Would the Project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.
Yes. The Project would generate 14,487 metric tons of carbon dioxide equivalent (MT CO_{2e}) per year, which would exceed the SCAQMD threshold of 3,000 MT CO_{2e} per year, which is the SCAQMD's recommended non-industrial project quantitative threshold for determining whether a project's GHG emissions would have a significant impact on the environment. Despite implementation of mitigation measures, impacts would be significant and unavoidable.
- B. Would the Project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.
Yes. The Project's GHG emissions may interfere with the implementation of the state's GHG reduction goals for 2030 and 2050 as identified in Senate Bill 32 and Executive Order S-3-05, respectively. Despite implementation of mitigation measures, impacts would be significant and unavoidable.

As summarized above, the Project would result in the following impacts.

- Air Quality: Conflict with Consistency Criteria No. 1 and No. 2 of the SCAQMD 2016 Air Quality Management Plan (AQMP).
- Air Quality: Result in operation-generated emissions which would exceed the SCAQMD's threshold of significance for NO_x and contribute to the non-attainment of ozone standards in SCAB.
- GHG: The project would generate 14,487 MT CO₂e per year.
- GHG: The Project's GHG emissions may interfere with the implementation of the state's GHG reduction goals for 2030 and 2050 as identified in Senate Bill (SB) 32 and Executive Order S-3-05, respectively.

The Project The Project would result in four significant impacts with regard to air quality and GHG emissions. However, the two air quality thresholds and two GHG thresholds are inherently linked together. This is because for air quality, the first impact (conflict with the 2016 AQMP) would occur due to the fact that the Project would exceed the SCAQMD's operational NO_x thresholds (second impact), which would in turn conflict with the 2016 AQMP as it could potentially impede the SCAQMD's ability to meet ambient air quality standards in SCAB. The nature of the Project's GHG impacts are similar. While two significant impacts would occur under the Appendix G thresholds, the second impact (potential to conflict with applicable GHG reduction plans) would primarily occur because the Project would generate GHG emissions that would exceed the applied SCAQMD's industrial CO₂e threshold (first impact) and thus, potentially conflict with the state's ability to meet its statewide GHG reduction goals in 2030 and beyond. In short, the Project's significant air quality and GHG impacts can be simplified to these two impacts:

- The Project's operational NO_x emissions would exceed the SCAQMD's threshold, which may contribute to regional ozone concerns in SCAB.
- The Project's GHG emissions would exceed the SCAQMD's thresholds, which may have a significant effect on the environment with regard to climate change.

These two impacts are briefly discussed below.

Operational NO_x

The SCAQMD's thresholds of significance for NO_x, their history and regulatory backstory, and the potential health effects of NO_x are discussed in detail in the Draft EIR and its appendices. Of importance, NO_x is a precursor to O₃, and SCAB is designated as a nonattainment area for both O₃ ambient air quality standards in California and the nation; however, SCAB is in attainment of nitrogen dioxide (NO₂)⁵ California and National ambient air quality standards. In its simplest form, the Project's operational NO_x emissions would result in NO_x emissions and associated potential ozone (O₃) concentrations that may affect the ability of the region in which the Project site is located (i.e., the SCAB) to meet ambient air quality standards for O₃. It is important to note that air quality is largely a regional issue. The Project's more locational-dependent air quality impacts are discussed further below and the Project would notably result in a less-than-significant impact with respect to localized air quality impacts on residents and other receptors in the community (see Localized Air Quality, Health Effects, and Sensitive Receptors in this report). Due to the scientific nature of air pollutant emissions, air pollutant emissions emitted at the Project site may not directly affect receptors within the City. This is because wind and atmospheric conditions can often transport airborne pollutants downwind, where pollutants can interact with other pollutants, both natural and anthropogenic (i.e., human-based), to form secondary pollutants such as O₃. Although these reactions and

⁵ NO_x is a collective term referring to nitric oxide (NO) and NO₂.

interactions are well understood, variability in emission source operations and meteorology creates uncertainty in the modeled O₃ concentrations to which downwind populations may be exposed. Taking this information into consideration, California air districts, including the SCAQMD, have developed mass daily emission thresholds that scientific and factual data demonstrate that each air basin can accommodate without affecting the area's attainment status (i.e., keeping ambient air quality standards at healthy levels for all sensitive receptors). Because the Project's emissions would exceed the SCAQMD's thresholds for NO_x, the Project has the potential to result in increased levels of O₃ (in addition to NO_x), which can lead to an increase in the frequency of days that SCAB experiences unhealthy air quality.

However, it is important to note that the health effects from air pollutants are related to the concentration of the air pollutant that an individual is exposed to, not necessarily the individual mass quantity of emissions associated with an individual project. It takes a large amount of additional precursor emissions to cause a modeled increase in ambient O₃ levels over an entire region and attempting to identify a change in background pollutant concentrations that can be attributed to a single project, even projects of large scales, is largely a theoretical exercise that involves complex technological challenges that may not be feasible at this point in time.

Nonetheless, in essence, the Project's air pollutant emissions would exceed the SCAQMD's daily emission threshold for NO_x that were adopted to reduce the frequency of unhealthy air quality days in the region. However, exceeding thresholds does not necessarily translate to specific localized health effects due to their regional nature. As discussed in the following paragraphs, mitigation measures have been required to reduce the amount of NO_x that the Project would emit on a daily basis, and in effect, potential O₃; however, due to the nature of the source of these pollutants and the constraints of current technology, these mitigation measures would not be able to reduce the Project's emissions to levels that are below the SCAQMD's threshold, and additional mitigation measures are not feasible. However, it is also important to note that air quality in the SCAB has been improving for several decades and technologies have been implemented and are continuing to be implemented that would further reduce the quantity of NO_x that would be emitted by industrial projects, such as the proposed Project. As such, as technologies and regulations advance, the Project's effect on ambient air quality in the SCAB is anticipated to decrease, and ambient air quality levels in the SCAB are expected to improve as a whole.

GHG Emissions

The Project's GHG emissions were evaluated in Section 4.6 of the Draft EIR, and it was estimated that the Project would result in the generation of approximately 14,487 MT CO₂e per year, which would exceed the SCAQMD threshold of 3,000 MT CO₂e per year. The 3,000 MT CO₂e per year metric is the SCAQMD's recommended non-industrial⁶ project quantitative threshold for determining whether a project's GHG emissions would have a significant impact on the environment. These thresholds were recommended because they represent levels that could be accommodated by each project in the SCAQMD such that it would not impede attainment of statewide GHG reduction goals. Because the Project would exceed this threshold, impacts are considered significant. As discussed below, mitigation measures have been identified to reduce these emissions; however, similar to the mitigation measures for air quality, due to the nature of the source of these pollutants and the constraints of current technology, these mitigation measures would not be able to reduce the Project's emissions to levels that are below the SCAQMD's threshold, and additional mitigation measures are not yet feasible at this time. Nonetheless, as

⁶ While the Project is industrial in nature, SCAMQD does not consider warehousing, logistics, and distribution uses to be industrial projects. Rather, this designation is reserved for stationary source industrial uses such as energy production, oil refining, etc.

technologies and regulations advance, the Project's GHG emissions, as well as the state's GHG emissions as a whole, are anticipated to be reduced as newer technologies emerge and regulations are implemented.

Other Air Quality Concerns

Localized Air Quality, Health Effects, and Sensitive Receptors

As mentioned previously, the Project's air pollutant emissions would not result in significant localized health impacts on members of the community, including sensitive receptors in the vicinity of the Project site, such as neighboring residences, schools, or hospitals. Section 4.1.6 of the Draft EIR included an analysis of the Project's potential to result in significant impacts to these receptors. As discussed previously, while air quality is largely a regional issue, heavy machinery, such as construction equipment and diesel trucks, do emit toxic air contaminants such as diesel particulate matter that can result in more localized impacts on sensitive receptors. The Draft EIR included health risk assessments, both for construction and operation of the Project, that evaluated the potential for these emissions to significantly impact nearby receptors. For both construction and operation of the Project, the health risk assessments indicate that the Project would not result in the exposure of these sensitive receptors to concentrations that would exceed the SCAQMD's thresholds of significance for localized health risks (i.e., cancer risk and noncancer chronic risk). Further background information and the quantified results of the health risk assessments are available in Section 4.1.6 of the Draft EIR on pages 4.1-41 through 4.1-46. In summary, while the Project would result in the generation of air pollutant emissions that may affect members of the community, these emissions would be below the SCAQMD's thresholds of significance, and impacts were determined to be less than significant.

Environmental Justice

Several commenters express concerns pertaining to environmental justice, considering that the City has a population that is over 70% Hispanic/Latino. CEQA practitioners have grappled with how to incorporate the discussion of environmental justice into CEQA analyses because at its core, CEQA is an environmental law that requires consideration of a project's impact on the environment—a project's effects with regard to socioeconomic factors are not supposed to be a focus of environmental analysis (other than when they are considered in a Statement of Overriding Considerations). Nonetheless, the State of California has placed additional emphasis on protecting local communities that may be socioeconomically disadvantaged from the harmful effects of air pollution through the passage of Assembly Bill 617, which is discussed further in Section 4.1.2 of the Draft EIR. 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[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% of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 4.0 (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% for Pollution Burden and is considered a disadvantaged community.

CalEnviroScreen has been developed by the Office of Environmental Health Hazard Assessment (OEHHA) and CalEPA. While CalEnviroScreen can assist CalEPA in prioritizing resources and helping promote greater compliance with environmental laws, it is important to note some of its limitations. The tool's output provides a relative ranking of communities based on a selected group of available datasets, through the use of a summary score. Unlike a health risk assessment prepared for the Project, the CalEnviroScreen score is not an expression of health risk, and

does not provide quantitative information on increases in cumulative impacts for specific sites or projects. Further, as a comparative screening tool, the results do not provide a basis for determining when differences between scores are significant in relation to public health or the environment. Accordingly, CalEnviroScreen is not intended to be used as a health or ecological risk assessment for a specific area or site (OEHHA 2013).

While the CalEnviroScreen is a useful tool in assessing a community's risk, it is not an appropriate tool for evaluating a project's impact on the environment as required under CEQA. An air quality emissions impact analysis and construction and operation health risk assessments were prepared for the Project and incorporated into the EIR (as described in Section 4.1.4 of the Draft EIR). Within the SCAQMD jurisdiction, a Project's localized impacts (i.e., impacts to nearby sensitive receptors) are also evaluated using Localized Significance Thresholds that were developed in response to environmental justice and health concerns raised by the general public regarding exposure of individuals to criteria pollutants in local communities. As discussed in the foregoing discussion, the Project would result in exceedances of a criteria air pollutant (NO_x) within a community that is identified as disadvantaged. However, as also discussed previously, the effects of this exceedance would occur on a regional scale, and CEQA does not currently treat this impact in a different manner depending on the socioeconomic characteristics of the community. Nonetheless, it is also important to note that the Project's health risk impacts with regard to sensitive receptors in the community was determined to be less than significant with mitigation incorporated.

Mitigation

Generally, the Project's significant and unmitigable air quality and GHG impacts are primarily the result of mobile source tailpipe emissions from diesel trucks that would carry goods to and from the proposed Project's buildings. Several mitigation measures have been identified to reduce these emissions. However, current technology precludes the ability of the City to mitigate these significant impacts to a less-than-significant level. The City acknowledges that the transportation sector is making strides in developing technologies that will reduce air pollutant and GHG emissions over time, and the City will promote and advance their use as they are developed and implemented on a wide scale; however, many of these advancements, such as electric trucks that would eliminate and/or substantially reduce the Project's air pollutant and GHG emissions, are in their nascent stages and not yet commercially available or viable in mass. The complexity of this issue is further compounded by the fact that the majority of trucks traveling throughout the state and nation are diesel-fueled, as currently permitted by state and federal laws and regulations. Moreover, the California Air Resources Board (CARB) and U.S. Environmental Protection Agency are the only two agencies empowered to regulate mobile sources (i.e., automobiles and trucks). These agencies have consistently set more stringent regulations to reduce mobile source emissions and are expected to continue to do so; however, current regulations do allow for the use of diesel-fueled trucks. Accordingly, prohibiting diesel-fueled trucks from accessing the Project site would essentially render the Project inviable as the regional and nation-wide goods movement sector inherently relies on a combination of various truck fleets composed of primarily diesel-powered trucks to deliver goods to their destinations. Additionally, the goods-movement sector typically relies on a both corporate fleets and a mix of independent owner-operator trucks⁷ to deliver goods to their destinations. While some tenants of industrial facilities have their own fleets, many tenants rely on a mix of both corporate fleets and independent owner-operators, and they can thus not control the types of trucks that are accessing their facilities.

⁷ An independent owner-operator is typically a self-employed trucker that has their own operating authority, insurance, permits, and arranges their own loads and solicits customers. They essentially conduct business independently and also own their own trailer. This contrasts with truckers that work for corporate fleets, where an enterprise would own the trailers and arrange for freight, insurance, and permits.

Alternatives to the Project were also considered for their ability to reduce or avoid these effects. With regard to the alternatives that were considered for further evaluation, none of these alternatives would avoid the Project's significant environmental effects. Moreover, to fully avoid these operational air quality and GHG impacts, the Project would require reducing the Project's size by approximately 83%, resulting in a project that is only approximately 17% of the Project's size. Such a reduction would clearly make this alternative infeasible for the Project Applicant. Other alternatives were considered for evaluation but not considered further because they would not meet the Project's objectives and present other planning and economic challenges. For example, land uses considered included residential uses, recreational uses (i.e., parks), and commercial/retail uses. However, given the proximity of other existing industrial uses in both the immediate and broader Project area, most uses other than limited manufacturing and distribution uses (and related industrial uses) would not be compatible with the neighboring industrial operations and truck traffic that circulates around the Project site; thus, the Project site would be an undesirable location for residential, commercial/retail, and recreational land uses. These land uses are also not uses that the current property owner typically develops. In order for these land uses to even be possible, the current landowner would need to sell the land to an entity that would need to have significant capital to purchase the property and to redevelop the site with an economically viable use. At this time, the current landowner does not have an interest in listing the site for sale. As such, no alternatives have been identified that would substantially reduce the Project's significant impacts and achieve the Project Objectives.

While mitigation measures and alternatives would not be able to reduce the Project's significant and unavoidable impacts to less-than-significant levels, it is important to note that these impacts represent a snapshot-in-time and are anticipated to be reduced in the long-term as state and federal air quality and GHG regulations increase in stringency. To date, advances in regulations and current technologies appear to have significantly improved air quality in the region over the past two decades. For example, the City of Fontana, a neighboring jurisdiction, commissioned an air quality study in 2021 that found that ozone concentrations in Fontana have shown a nearly 40% improvement in the 16-year period studied, and air toxic cancer risks have decreased 76% from 1998 to 2018 (City of Fontana 2021). These risks are expected to decrease by an additional 20% by 2023. These improvements are attributed to several state and federal regulations, including truck and bus regulations (2011), low NO_x heavy omnibus regulations (2020), advanced clean trucks regulations (2011), innovated clean transit regulations (2019), and advanced clean cars regulations (2019), which are anticipated to result in similar beneficial effects in the City. Other regulations that are anticipated in the future are Advanced Clean Cars II (July 2022), the Heavy-Duty Inspection and Maintenance Program (January 2022), Advanced Clean Fleets Regulations (January 2022), In-Use Locomotive Regulations (May 2022), In-Use Off-Road Diesel Fueled Fleets Regulations (January 2023), Cargo Handling Equipment Regulation to Transition to Zero-Emissions (January 2023), and Transport Refrigeration Unit Regulations (October 2021).

The Project would also be subject to the recently adopted SQAQMD Rule 2305–Warehouse Indirect Source Rule–Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. The purpose of this rule is to reduce local and regional emissions of NO_x and PM, and to facilitate local and regional emission reductions associated with warehouses and the mobile sources attracted to warehouses in order to assist in meeting state and federal air quality standards for O₃ and PM_{2.5}. This rule applies to owners and operators of warehouses located in the SQAQMD jurisdiction with greater than or equal to 100,000 square feet of indoor floor space in a single building, including two of the Project's buildings. This rule may further reduce emissions below what was accounted for in the Draft EIR. However, as the rule has various pathways for compliance, including payment of an in-lieu fee that would not have a direct effect on emissions, the Draft EIR's analysis conservatively did not quantify the reduction in emissions that would be realized through compliance with the rule. Nonetheless, it is anticipated that this rule would undoubtedly play a role in improving regional air quality.

In summary, while the Project would result in the generation of NO_x and GHG emission that would exceed the SCAQMD's thresholds, mitigation measures have been identified to reduce these impacts to the maximum extent practicable with current available technologies. These impacts are anticipated to be reduced over time as technologies and regulations advance. Nonetheless, the Project's impacts currently remain significant and unavoidable, and the City's decisions makers are thus tasked in considering whether to approve the Project in light of these significant impacts by way of adopting the Project's Statement of Overriding Considerations given the Project's economic, legal, social, technological, and other benefits.

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2.2 Specific Responses

Response to Comment Letter P1

Stephen Lopez
January 19, 2022

- P1-1** This comment expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Notwithstanding, several of the commenter’s concerns are within the Thematic Responses to Comments. Please refer to Thematic Response 1 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P2

Solomon Bates
January 19, 2022

- P2-1** This comment serves as an introduction to comments that follow but does not raise an issue with the adequacy of the Draft EIR.
- P2-2** This comment expresses a concern regarding air quality and greenhouse gas emission impacts. Please refer to Thematic Response 3 in which these concerns are addressed.
- P2-3** This comment serves as a conclusion to the comment letter. It expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P3

Gladis Sanchez
January 19, 2022

- P3-1** This comment expresses general opposition to the Project, particularly with regard to an impact on the health of the local community, but does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 3, in which the Project’s impacts with regard to health is discussed. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P4

Marisela Mendez
January 20, 2022

- P4-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Responses 1 and 2 in which these concerns are discussed. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P5

Joseph Wilkewicz
January 20, 2022

- P5-1** This comment expresses general opposition to the Project and states that the Drive-In is a historical place. Please refer to Thematic Response 2 in which this concern is addressed. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P6

Susie Russell-Wagner

January 20, 2022

- P6-1** This comment expresses general opposition to the Project and states that the Drive-In is part of the area's history. Please refer to Thematic Response 2 in which this concern is discussed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P7

Devlin Smith
January 20, 2022

P7-1 This comment expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR. Concerns raised in this comment include road closures, pollution, noise, service disruptions, the closure of the Drive-In, and the possibility that the Project's buildings could sit vacant given the spread of warehouses in the region. These concerns are addressed below:

- **Road Closures:** Road closures may occur on a temporary basis during construction of the Project. However, any street/lane closures would be coordinated with the City and a Street/Lane Closure Permit would be obtained. A Street/Lane Closure Permit would be required for all work that would be done within the City right-of-way (street curb to street curb). A Traffic Control Plan, prepared in accordance with the most recent edition of the Manual Uniform Traffic Control Devices published by the Federal Highway Administration, must be prepared and accepted by the City prior to issuance of this permit. Adherence to this process would ensure that any road closures are limited to the maximum extent feasible.
- **Pollution:** Please refer to Thematic Response 3 in which air quality concerns are discussed.
- **Noise:** The Draft EIR included a comprehensive analysis of the Project's impacts with regard to noise and vibration (see Section 4.9 of the Draft EIR). As discussed within this section, with incorporation of mitigation measures (MM-NOI-1 and MM-NOI-2, which would be implemented during construction), the Project would not result in significant noise or vibration impacts and would not cause noise levels to exceed levels established within the City's Noise Ordinance. Impacts would be less than significant and consistent with existing City noise regulations
- **Service Disruptions:** As discussed earlier regarding road closures, the Project may result in the temporary closure of public streets during construction. As part of the Street/Lane Closure Permit process, emergency responders in the City would be notified of any potential closures and would plan alternative routes accordingly. The Project would not result in the disruption of services, such as utilities.
- **Closure of the Drive-In:** Please refer to Thematic Response 1 in which these concerns are addressed.
- **Economic viability of the Project:** Please refer to Thematic Response 1 in which these concerns are addressed.

This comment does not raise new environmental issues that have not already been adequately discussed in the Draft EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P8

Ryan Arcid
January 20, 2022

- P8-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In, but does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 1 in which these concerns are discussed. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P9

Celest Baca
January 20, 2022

- P9-1** This comment expresses general opposition to the Project, particularly due to the nature of the Project, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 1 in which these concerns are discussed. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P10

Alyssa Marie
January 20, 2022

- P10-1** This comment expresses general opposition to the Project, stating that the Drive-In is part of the City's history and is a part of the community. Please refer to Thematic Responses 1 and 2 in which these concerns are addressed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P11

Emmeline Vargas

January 21, 2022

- P11-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 1 in which this concern is discussed. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P12

Kimmie Blincoe
January 21, 2022

- P12-1** This comment serves as an introduction to comments that follow and expresses general opposition to the Project, but it does not raise an issue with the adequacy of the Draft EIR.
- P12-2** The comment provides a link to an article titled “Unfulfilled Promises: Amazon fulfillment centers do not generate broad-based employment growth” dated February 1, 2018, and published by the Economic Policy Institute. The comment states that warehouses do not generate any long-term or net job growth and . This comment is primarily economic in nature and links unfulfilled promises of job growth to policy decisions to provide tax abatements, credits, exemptions, and infrastructure assistance to attract warehouses. Given that this comment is not environmental in nature and does not raise a concern regarding the adequacy of the Draft EIR, no further response is necessary. However, it should be noted that the Project is not requesting any public financial assistance, and on the contrary, is providing several public benefits to the City (see Draft Findings of Fact and Statement of Overriding Considerations under a separate cover and available on the City’s website alongside the Draft and Final EIR). It should also be noted that the article focuses on Amazon fulfillment centers. The Project does not propose a fulfillment center-type use. Rather, the Project’s two larger buildings, Buildings 7 and 8, are anticipated to support standard warehousing uses and the Project’s smaller buildings, Buildings 1 through 6, are intended to provide for more flexible light industrial space that could support a wide variety of uses, including standard warehousing, research and development uses, small scale manufacturing, and professional and medical office space. Please refer to Thematic Response 1 for further discussion regarding the economic drivers of the Project.
- P12-3** The comment provides links to studies on air pollution and links to childhood asthma. As discussed in Section 4.1, Air Quality, of the Draft EIR, construction and operational health risk assessments were conducted for the Project and concluded that with implementation of mitigation, the Project would not generate air pollutant concentrations that would exceed SCAQMD’s thresholds of significance for localized health risks (i.e., cancer risk and noncancer chronic risk) for local sensitive receptors. Please refer to Thematic Response 3 for additional information regarding the Project’s air pollutant and GHG emissions.
- P12-4** This comment serves as a conclusion to the comment letter. It expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P13

Kristina Warren
January 22, 2022

- P13-1** This comment expresses interest in purchasing items from the Project site and does not raise an issue with the adequacy of the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR.

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Response to Comment Letter P14

Dennis Graham
January 22, 2022

- P14-1** This comment expresses general opposition to the Project and states that the Drive-In is historical. Please refer to Thematic Response 2 in which this concern is addressed. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P15

Terrance Johnson

January 24, 2022

- P15-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In and potential air quality impacts, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Responses 1 and 2 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P16

Vincent Salgado
January 27, 2022

- P16-1** This comment serves as an introductory comment. No response is necessary.
- P16-2** This comment expresses concerns with regard to the closure of the Drive-In. Please refer to Thematic Response 1 in which these concerns are addressed. Many of the concerns are also non environmental in nature. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City will forward this comment to the City’s decisionmakers for their consideration.
- P16-3** This comment expresses concerns about the Project’s air quality impacts on the community, including sensitive receptors, as well as traffic. Please refer to Thematic Response 3 in which the Project’s air quality impacts are discussed. With regard to traffic, traffic was analyzed within Section 4.10, Transportation, of the Draft EIR and within the Traffic Impact Analysis of the Project, Appendix G of the Draft EIR. The analysis concluded, based on City’s criteria, the Project generated traffic and the Project’s effect on traffic would result in a less than significant impact.
- P16-4** This comment serves as an introductory comment. No response is necessary.
- P16-5** This comment suggests requiring a conservation easement to preserve trees on the southern side of the Project site. Given the Project’s site plan and building layout, it would not be feasible to preserve these trees. However, as depicted in Figure 3-10 of the Draft EIR, Landscape Plan, landscaping is proposed for the passenger vehicle parking areas, around the portions of the building visible from off-site areas, as well as the site’s frontages with Mission Boulevard, Ramona Avenue, 3rd Street, and State Street. Landscaping along the site’s frontages would include a mixture of trees, shrubs, and groundcover. Proposed trees include approximately 293 24-inch box trees and 44 15-gallon box trees. In total, the Project would result in the planting of approximately 337 trees, which is 206 more trees than what is currently on site. Given the replacement of trees at an almost 3:1 ratio, this suggestion is not required.
- P16-6** This comment suggests requiring that only chaparral vegetation be used in the landscaping plan to limit water use. It should be noted that chaparral vegetation refers to native plants within chaparral communities. It would be impractical to limit the Project’s landscape palate to only plant species within the chaparral vegetation community, as that would preclude the use of many drought-tolerant and non-invasive ornament species that are commonly used in the landscape plants throughout Southern California. Nonetheless, the Project’s landscape palate was designed with the intention of selecting plants with low water demands and maintenance and would be consistent with the City’s Water-Efficient Landscape and Conservation Ordinance.
- P16-7** The comment suggests requiring that the Project prioritize hiring local residents rather than distant ones. While the Project is anticipated to hire local residents, the Project Applicant has no control over whom tenants hire and the City cannot legally place such restrictions on a project.

- P16-8** This comment suggests that the City should tax the Project’s buildings at a higher rate than other buildings in the City and use revenue to support air quality control programs or repair roads. First, the City does not have the legal authority to raise taxes on one specific property. Second, by nature of the redevelopment of the Project site and new businesses operating on-site, the City anticipates increased revenue to the General Fund by way of the increased property value of the site and indirect economic growth (see Draft Findings of Fact and Statement of Overriding Considerations under a separate cover and available on the City’s website alongside the Draft and Final EIR). Lastly, please refer to the Rule 2305–Warehouse Indirect Source Rule subheading within Section 4.1.2 of the Draft EIR. The Project’s two large buildings, Buildings 7 and 8, would both be subject to South Coast Air Quality Management District Rule 2305, which requires the tenants of these two buildings to track their emissions and either off-set them by implementing best management practices to reduce them, or to pay an in-lieu fee that would be used to improve local air quality or offset its effects.
- P16-9** This comment suggests requiring that the Drive-In’s marquee sign at the corner of Mission Boulevard and Ramona Avenue be retained to maintain its historical significance. Please refer to Thematic Response 2, which discusses the historical significance of the Drive-In. As discussed, the Drive-In was determined not to be a significant historic property under CEQA, and no mitigation is required. Notwithstanding, the Project Applicant is considering incorporating facets of the Drive-In into the site design.
- P-16-10** This comment suggests alternative land uses instead of the Project. Please refer to Chapter 7, Alternatives, of the Draft EIR, as well as Thematic Response 1, in which alternatives to the Project are discussed. As discussed, no feasible alternatives were identified that would substantially meet the Project’s Objectives or avoid the Project’s significant impacts.
- P16-11** This comment serves as a conclusion to the comment letter. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

Response to Comment Letter P17

Erin Michaela Sweeney

January 30, 2022

- P17-1** This comment expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR. Concerns raised in the comment generally pertain to the closure of the Drive-In and the Project's GHG impacts. Please refer to Thematic Responses 1 and 3 in which these concerns are addressed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P18

Jessica Gaytan
February 1, 2022

- P18-1** This comment serves as an introduction to comments that follow and expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR.
- P18-2** This comment expresses concerns about the Project’s significant and unavoidable air quality and GHG impacts. Please refer to Thematic Response 3 in which these concerns are addressed.
- P18-3** This comment expresses opposition to the Project’s proposed use and expresses sentiments that alternative uses should replace the Drive-In. Please refer to Thematic Response 1 in which these concerns are discussed.
- P18-4** This comment serves as a conclusion to the comment letter. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P19

Dakota Hill

February 2, 2022

- P19-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In and potential environmental and health impacts of the Project. Please refer to Thematic Responses 1 and 3 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P20

Melissa Arias
February 2, 2022

- P20-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In and potential air quality impacts of the Project. Please refer to Thematic Responses 1 and 3 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P21

Alliah Badawi
February 2, 2022

- P21-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In, the Project's economic viability, and the Project's effects on community health. The comment also references an online petition aimed at preventing the closure of the Drive-In. The City acknowledges this petition and recognizes the community's concern over the Drive-In's closure. These aforementioned concerns, as well as the City's authority and influence over the closure of the Drive-In, are discussed in Thematic Responses 1 and 3. Please refer to these responses for a discussion of these issues. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P22

Alondra Cobian
February 2, 2022

- P22-1** This comment serves as an introduction to comments that follow.
- P22-2** This comment expresses a concern about the Project’s entitlement process in the context of environmental justice and the Project’s air quality impacts. With regard to concerns regarding the Project’s entitlement process, the City recognizes that the planning process can present barriers for residents for whom English is a second language. The City is committed to promoting the involvement of all members of the community in its decision making process. For the proposed Project, the City took every effort to properly notice the availability of the Draft EIR, including mailing the Project’s NOA to properties within 1,000 feet of the Project site and posting the NOA on the City’s website, on the State Clearinghouse website for CEQA documents, and within the Inland Valley Daily Bulletin. The NOA included contact information should members of the community have questions about the Project in Spanish. With regard to concerns about environmental justice, please refer to Thematic Response 3.
- P22-3** This comment expresses concerns regarding the Project’s air pollutant and GHG emissions, particularly with regard to chronic health risks. Please refer to Thematic Response 3 in which these concerns are discussed.
- P22-4** This comment reiterates concerns about environmental justice and expresses opposition to the closure of the Drive In. Please refer to Response to Comment P22-2 and to Thematic Response 1 regarding the closure of the Drive-In.

The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P23

Eddy Rocha

February 2, 2022

- P23-1** This comment expresses general opposition to the Project, particularly with regard to the Project’s air quality impacts, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 3 in which these concerns are addressed. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P24

Julieta M.
February 2, 2022

- P24-1** This comment expresses general opposition to the Project, particularly with regard to concerns about air pollution caused by heavy duty trucks, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 3 in which concerns regarding air quality and socioeconomic impacts are discussed. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P25

Lizbeth Valdivia-Jauregui

February 2, 2022

- P25-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In and its redevelopment, as well as the Project's air quality impacts. Please refer to Thematic Responses 1 and 3 in which these concerns are addressed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P26

Maricruz Santander

February 2, 2022

- P26-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In, environmental impacts on the community, and the nature of the Project's proposed uses. Please refer to Thematic Responses 1 and 3 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P27

Milo Santamaria
February 2, 2022

- P27-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In. Please refer to Thematic Response 1 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P28

Arianna Lerdo
February 3, 2022

- P28-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 1 in which these concerns are discussed. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P29

Gabrielle Estrada

February 3, 2022

- P29-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In and the nature of the Project’s proposed uses, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 1 in which these concerns are discussed. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P30

Geoffrey Siacunco

February 3, 2022

- P30-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In and the Project's proposed use, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 1 in which these concerns are discussed. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P31

Guadalupe Loza-Mendez

February 3, 2022

- P31-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In and potential air quality impacts of the Project. Please refer to Thematic Responses 1 and 3 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P32

Hector Santana
February 3, 2022

- P32-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In and the nature of the Project’s proposed uses, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 1 in which these concerns are discussed. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P33

Jessica G Gonzalez

February 3, 2022

- P33-1** This comment expresses general opposition to the Project and expresses concerns about the closure of the Drive-In, the economic viability of the Project, the nature of the Project’s proposed uses, and the Project’s significant GHG impacts. Please refer to Thematic Responses 1 and 3 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P34

Jessica Pereabras

February 3, 2022

- P34-1** This comment expresses general opposition to the Project and expresses concerns about the closure of the Drive-In and the nature of the Project’s proposed uses. Please refer to Thematic Response 1 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P35

Johanna Garcia
February 3, 2022

- P35-1** This comment expresses general opposition to the Project and expresses concerns about the closure of the Drive-In and suggests alternative land uses to be constructed instead of the proposed Project. Please refer to Thematic Response 1 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P36

Jorge Luquin
February 3, 2022

- P36-1** This comment expresses general opposition to the Project and expresses concerns about the closure of the Drive-In and suggests alternative land uses to be constructed instead of the proposed Project. Please refer to Thematic Response 1 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P37

Kelli Hills

February 3, 2022

- P37-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In and potential air quality impacts of the Project, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Responses 1 and 3 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P38

Sarah Atencio
February 3, 2022

- P38-1** This comment expresses a concern with the closure of the Drive-In. Please refer to Thematic Response 1 in which this concern is discussed.
- P38-2** This comment expresses a concern regarding the Project’s air quality impacts and community health. Please refer to Thematic Response 3 in which this concern is addressed.
- P38-3** This is a concluding comment and does not raise an environmental issue. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P39

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February 4, 2022

P39-1 This comment serves as an introduction to comments that follow and raises concerns over the historic preservation of the site. For more information about land uses on the site, community gathering spaces, and the closure of the Drive-In, please refer to Thematic Response 1. Please refer to Thematic Response 2 for more information about historical resources under CEQA.

P39-4 This comment raises concerns about the effects of warehousing development in San Bernardino. The comment states that warehouse development in San Bernardino has resulted in the displacement of biological resources, traffic impacts, aesthetics impacts, noise, and a rise in homelessness, and the creation of illegal and hazardous uses. The City recognizes the impacts that warehouses, and development as a whole, can have on an area. However, the City is committed to minimizing these impacts to the maximum extent possible through enacting and implementing regulations in its Municipal Code and evaluating the impacts of development through the CEQA process. As discussed in the Draft EIR, the Project would not result in significant effects with regard to the concerns raised in this comment:

- **Biological Resources:** Section 4.2, Biological Resources, of the Draft EIR includes an analysis of the Project's impact on biological resources. It included a biological reconnaissance of the Project site and concluded that impacts to biological resources would be less than significant with mitigation.
- **Traffic:** Traffic was analyzed within Section 4.10, Transportation, of the Draft EIR and within the Traffic Impact Analysis of the Project, Appendix G of the Draft EIR. The analysis concluded, based on City's criteria, Project generated traffic and the Project's effect on the local circulation system would result in less than significant impacts.
- **Aesthetics:** As stated in Chapter 5, Effects Found Not to be Significant, impacts to aesthetics would be less than significant. The Project site is located well outside the viewshed of any scenic vistas or other important visual resources; therefore, these impacts would not occur as a result of the Project.
- **Noise:** Noise was analyzed within Section 4.9, Noise, of the Draft EIR. The analysis concluded that the Project would result in less than significant impacts with regard to permanent increase in ambient noise levels in excess of standards from both on-site operation and off-site Project-related traffic. The Project would result in potentially significant impacts with regard to generation of a substantial temporary increase in ambient noise levels in the vicinity of the Project during construction, but this would be mitigated to less-than-significant levels.
- **Homelessness:** This is not an environmental impact under the purview of CEQA. Nonetheless, the Project would not exacerbate homelessness in the area and, on the contrary, would bring new businesses to the City that would promote economic growth.
- **Hazards and Hazardous Materials:** Section 4.7, Hazards and Hazardous Materials, of the Draft EIR, assessed the potential for the Project to result in unsafe or harmful conditions relating to hazards and hazardous materials. Impacts were determined to be less than significant.

P39-5 This comment serves as a conclusion to the comment letter. It expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P40

Aaron McCain
February 5, 2022

P40-1 This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In and potential air quality and noise impacts of the Project. Please refer to Thematic Responses 1 and 3 in which concerns regarding the closure of the Drive-In and air quality impacts are discussed. With regard to noise, the Draft EIR included a comprehensive analysis of the Project's impacts with regard to noise and vibration (see Section 4.9 of the Draft EIR). As discussed within this section, with incorporation of mitigation measures (MM-NOI-1 and MM-NOI-2, which would be implemented during construction), the Project would not result in significant noise or vibration impacts and would not cause noise levels to exceed levels established within the City's Noise Ordinance. Impacts would be less than significant and consistent with existing City noise regulations.

The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P41

Angela Groom
February 6, 2022

- P41-1** This comment serves as an introduction to comments that follow and raises concerns regarding the closure of the Drive-In and the historic preservation of the site. Please refer to Thematic Response 1 for a discussion regarding concerns over the closure of the Drive-In and Thematic Response 2 for a discussion regarding concerns that the Drive-In is a historic resource. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P42

Ann Johnson
February 6, 2022

- P42-1** This comment expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR. The comment expresses concerns with regard to the closure of the Drive-In, the potential for the Drive-In to be a historic resource, the economic viability of the Project, alternative land uses, and the Project's impact on air quality. Please refer to Thematic Responses 1, 2, and 3 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P43

Carly Cabral

February 7, 2022

P43-1 This comment expresses general opposition to the Project, specifically the replacement of existing uses with the proposed use, but does not raise an issue with the adequacy of the Draft EIR. Concerns raised in the comment include the closure of the Drive-In, the loss of a space used by the community, the nature of the Project, and the Project's impact on air quality. Please refer to Thematic Responses 1 and 3 in which these are discussed. For more information about land uses on the site, community gathering spaces, and the closure of the Drive-In, please refer to Thematic Response 1.

The comment also briefly mentions pollution from warehouses. Please refer to Thematic Response 3 for more information on air pollution and GHG emissions.

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Response to Comment Letter P44

Roxana Bautista-Laredo

February 8, 2022

P44-1 This comment expresses general opposition to the Project, specifically the replacement of existing uses with the proposed use, but does not raise an issue with the adequacy of the Draft EIR.

For more information about land uses on the site, community gathering spaces, and the closure of the Drive-In, please refer to Thematic Response 1.

Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P45

Christine Ross
February 17, 2022

- P45-1** This comment serves as an introduction to the comments that follow, and states that the Drive-In should be a historic landmark. Refer to Thematic Response 2 for more information about historical resources under CEQA.
- P45-2** This comment provides personal anecdotes about the previous uses of the Project site. It expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR.
- P45-3** This comment states that the new owner can profit from the existing Drive-In. For more information about land uses on the site, community gathering spaces, and the closure of the Drive-In, please refer to Thematic Response 1.
- P45-4** This comment serves as a conclusion to the comment letter. It expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P46

Paul C.
February 17, 2022

P46-1 This comment expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR.

Please refer to Thematic Response 2 for more information about historical resources under CEQA.

Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P47

Dennis Callaci
February 18, 2022

P47-1 This comment expresses general opposition to the Project, specifically the closure of the Drive-In, but does not raise an issue with the adequacy of the Draft EIR.

For more information about land uses on the site, community gathering spaces, and the closure of the Drive-In, please refer to Thematic Response 1.

Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P48

M. Sawyer
February 18, 2022

P48-1 This comment expresses general opposition to the Project, specifically the closure of the Drive-In, but does not raise an issue with the adequacy of the Draft EIR.

For more information about land uses on the site, community gathering spaces, and the closure of the Drive-In, please refer to Thematic Response 1. Refer to Thematic Response 2 for more information about historical resources under CEQA.

Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P49

Darryl Molina Sarmiento

February 22, 2022

- P49-1** This comment serves as an introduction to comments that follow and expresses general opposition to the Project. For more information about the closure of the Drive-In, please refer to Thematic Response 1.
- P49-2** This comment expresses concern the proposed land uses on the Project site. For more information about land uses on the site, please refer to Thematic Response 1.
- P49-3** This comment expresses concern over air pollution from truck traffic. Please refer to Thematic Response 3 for more information on air pollution and GHG emissions.
- P49-4** This comment contains a question asking whether permits have been obtained for the Project. The necessary permits and entitlements for the Project have not yet been obtained and are subject to approval by the Planning Commission and City Council. These hearings have not yet been scheduled but will be properly noticed pursuant to the City's noticing requirements.
- P49-5** This comment contains a question asking whether the Project is in violation of local, state, or federal environmental laws, and questions why it would be possible to for the Project to be approved. The Project is not in violation of local, state, or federal environmental laws, and the City's preparation of this EIR is part of compliance with CEQA. The Project would otherwise be required to comply with all other applicable regulations.

With regard to the question as to why the Project may be approved if SCAB is in non-attainment for ozone, please refer to Thematic Response 3 and Section 4.3, Air Quality, of the Draft EIR. Put simply, CEQA states that an agency has the authority to approve projects with the potential to cause significant adverse environmental impacts (PRC 21002 and CEQA Guidelines Sections 15092 and 15093). Thus, even if a project is found inconsistent with the AQMP and a net degradation of SCAB air quality could occur, a local agency may approve a discretionary land use project or a government project that results in unmitigated air pollutant emissions. On the other hand, some state and federal statutes affect local agency discretion to trade off social, economic, or other benefits for significant impacts on air quality. The federal Clean Air Act establishes requirements to prevent air quality degradation beyond established standards. The SCAB exceeds federal standards for five pollutants at this time. SCAQMD's AQMP represents the regional plan for attaining both the federal and state clean air goals. Therefore, any findings of overriding considerations for projects that are not consistent with the AQMP should consider the potential ramifications. Specifically, that the region will not be able to achieve the air quality standards within the time frame specified in law, potential restrictions on federal funding, imposition of a federal plan and regulations, federal sanctions and/or the need for regulation of additional sources in order to make up the emission reductions lost. In summary, while the Project would conflict with the SCAQMD's AQMP, the City may approve the Project as long as it adopts the necessary statement of overriding considerations.

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Response to Comment Letter P50

Isabella Raman
February 20, 2022

P50-1 This comment expresses concern over the closure of the Drive-In. For more information about the closure of the Drive-In, please refer to Thematic Response 1. Refer to Thematic Response 2 for more information about historical resources under CEQA.

P50-2 This comment expresses concern over the Project's air quality and GHG impacts. Please refer to Thematic Response 3 in which these concerns are addressed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P51

Karen J Stuart
February 22, 2022

P51-1 This comment expresses general opposition to the Project, specifically the closure of the Drive-In, but does not raise an issue with the adequacy of the Draft EIR.

For more information about community gathering spaces and the closure of the Drive-In, please refer to Thematic Response 1. Refer to Thematic Response 2 for more information about historical resources under CEQA.

Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P52

Mohammad Izadpanah

February 22, 2022

- P52-1** This comment raises a question about the zoning of an adjacent property and does not raise an issue with the adequacy of the Draft EIR. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P53

Stacy Brzozowski
February 22, 2022

- P53-1** This comment serves as an introduction to comments that follow and expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR.
- P53-2** This comment expresses concerns on the Project’s air quality impacts. Please refer to Thematic Response 3 in which these concerns are addressed.
- P53-3** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In and the Project’s proposed land use, but does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 1 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P54

Ben Benjamin
February 23, 2022

- P54-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 1 in which these concerns are discussed. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P55

Catherine Guffey
February 23, 2022

- P55-1** This comment serves as an introduction to comments that follow and expresses general opposition to the Project. For more information about land uses on the site, community gathering spaces, and the closure of the Drive-In, please refer to Thematic Response 1.
- P55-2** This comment expresses concerns on the Project’s air quality impact. For more information on air quality and GHG emissions, please refer to Thematic Response 3.
- P55-3** The comment states that four schools are within a 0.25 miles of the Project site. This statement is incorrect. One school is within a 0.25 miles of the Project site. Howard Elementary School is located approximately 0.2 miles southeast of the Project site. As discussed in Section 4.7, Hazards and Hazardous Materials, of the Draft EIR, impacts would be less than significant with mitigation incorporated.
- P55-4** This comment serves as a conclusion to the comment letter. It expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR. Refer to Thematic Response 2 for more information about historical resources under CEQA.

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Response to Comment Letter P56

Dennis Callaci
February 23, 2022

- P56-1** This comment expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR. The comment expresses concern with regard to the closure of the Drive-In, the potential for the Drive-In to be a historic resource, the economic viability of the Project, and the Project's GHG impacts. Please refer to Thematic Responses 1, 2, and 3 in which these concerns are discussed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P57

Dora Scalco
February 23, 2022

- P57-1** This comment expresses concern over the proposed land uses on the Project site. For more information about land uses on the site, please refer to Thematic Response 1. This comment also expresses concern over the Project’s environmental impacts. As discussed in the Draft EIR, the Project would result in significant and unavoidable air quality and GHG impacts; please refer to Thematic Response 3 in which these concerns are addressed. All other environmental effects would be below a level of significance with applicable mitigation incorporated.

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Response to Comment Letter P58

Fredia Lynn Doyle
February 23, 2022

- P58-1** This comment expresses general opposition to the Project and states that the Mission Inn is historic (assumed to be referring to the Drive-In; the Project does not involve any impacts to the Mission Inn in Riverside). Please refer to Thematic Response 2 in which this concern is addressed. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P59

Kristen Conway-Gomez

February 23, 2022

- P59-1** This comment expresses concern over the closure of the Drive-In and implies it may be a historical resource. Please refer to Thematic Responses 1 and 3 in which these concerns are addressed.
- P59-2** This comment expresses concern over the Project’s air quality and GHG impacts. Please refer to Thematic Response 3 in which these concerns are discussed.
- P59-3** This comment serves as a conclusion to the comment letter and reiterates comments expressed in Comment P59-1. Please refer to Response to Comment P59-1. The City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P60

Larisa McKenna
February 23, 2022

- P60-1** This comment expresses general opposition to the Project due to the closure of the Drive-In and states that the Drive-In is a historical resource. Please refer to Thematic Responses 1 and 2 in which these concerns are addressed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P61

Marilyn Sheridan
February 23, 2022

- P61-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 1 in which these concerns are discussed. Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City’s decisionmakers for their consideration.

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Response to Comment Letter P62

Rob Pipersky
February 23, 2022

P62-1 This comment expresses sentiments in support of the Project, but does not raise an issue with the adequacy of the Draft EIR.

Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P63

Marcella Zita
February 23, 2022

P63-1 This comment expresses general opposition to the Project and its proposed land use, but does not raise an issue with the adequacy of the Draft EIR.

For more information about community gathering spaces and the closure of the Drive-In, please refer to Thematic Response 1. Please refer to Thematic Response 2 for more information about historical resources under CEQA.

P63-2 This comment summarizes the Project and serves as conclusion. This comment also expresses concern over the Project's significant unavoidable determination for air quality and greenhouse gas emissions. Please refer to Thematic Response 3 for more information on air pollution and GHG emissions.

The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P64

Yvonne Cervantes Coleman

February 23, 2022

P64-1 This comment expresses general opposition to the Project but does not raise an issue with the adequacy of the Draft EIR.

Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P65

Gissell Padilla
February 24, 2022

P65-1 This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 1 in which this concern is addressed.

Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P66

Sal Gomez
February 24, 2022

P66-1 This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Response 1 in which this concern is addressed.

Section 15088(a) of the CEQA Guidelines requires that a lead agency evaluate and respond to comments raising significant environmental issues on the Draft EIR. Because this comment does not raise environmental issues, no further response is necessary within this Final EIR. Nonetheless, the City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter P67

Jenna Streety
February 24, 2022

- P67-1** This comment expresses general opposition to the Project, particularly with regard to the closure of the Drive-In and the Project's air quality impacts, but it does not raise an issue with the adequacy of the Draft EIR. Please refer to Thematic Responses 1 and 3 in which concerns these concerns are addressed. The City thanks the commenter for their comment and will forward the comment to the City's decisionmakers for their consideration.

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Response to Comment Letter O1

Golden State Environmental Justice Alliance
February 22, 2022

As referenced below, **Golden State Environmental Justice Alliance (GSEJA)** formally withdrew its comment letter and opposition to the Project on March 1, 2022. However, the lead agency, in its discretion, has chosen to provide written detailed comments to the comment letter.

- 01-1** The comment notes that the comment letter has been submitted by Blum Collins on behalf of GSEJA. The comment formally requests to be added to the public interest list regarding any subsequent environmental document noticing and provides an address; no further response is required.
- 01-2** This comment summarizes the proposed Project and does not identify specific areas where the EIR is inadequate; therefore, no further response is required.
- 01-3** The comment states that the Draft EIR does not include any floorplans, grading plan, or detailed elevations, and that Exhibit 3-8 does not provide information such as earthwork quantity notes, parking requirements, site coverage, or floor area ratio. The comment claims that the Draft EIR has excluded these details from public review, “which does not comply with CEQA’s requirements for adequate informational documents and meaningful disclosure,” and states that the EIR must be revised to include these items.

Section 15124 of the CEQA Guidelines provides guidance regarding the contents of an EIR’s project description. Among these requirements are a general description of the project’s characteristics, the location of the project, preferably shown on a detailed map, a statement of objectives sought by the proposed project, and a statement briefly describing the intended uses of the EIR. According to Section 15124, a project description shall reflect the specifics of the project, the project site, and its surroundings, but should not provide extensive detail beyond that needed for evaluating environmental impacts.

The Project Description chapter of the Draft EIR includes a detailed description of the Project, the Project site and its surroundings, and the anticipated operational and construction characteristics of the Project. Figures are provided and include a Project location map (Figure 3-2), a high-resolution aerial of the Project site and surrounding area with existing uses labeled (Figure 3-3), a detailed site plan (Figure 3-8), and detailed elevations (Figures 3-9 A–C). Taken together, the narrative provided within the Project Description and accompanying figures provided meet the specifications required by the CEQA Guidelines and provide sufficient detail to evaluate environmental impacts. A grading plan was not included within the Draft EIR because it was determined to be overly technical (the amount of detail in a project description should reflect the size and scope of the project and the types and severity of impacts that are expected [AEP 2020]) and grading was generally described throughout the Draft EIR (i.e., “when grading is complete, the Project site would be in a generally flat condition with a slight downward slope from northeast to southwest” and grading would occur over “3 months”). With regard to internal floorplans, specific floorplans are not available because an end user of the proposed warehouse building has not yet been identified; therefore, the floor plans have not been finalized and are unavailable. Notwithstanding, the configuration of internal rooms and spaces would not affect the analysis of potential environmental impacts in the Draft EIR.

It should be noted that sufficient information was previously provided in the Draft EIR to adequately evaluate environmental impacts and the inclusion of minor site statistics does not have any bearing on the environmental analysis provided within the Draft EIR. Because no new environmental issues were identified, no further analysis is necessary.

01-4 The comment refers to comments provided by Soil Water Air Protection Enterprise, which are included as an attachment to the comment letter. Refer to Responses to Comments 01-26 through 01-63 in which these comments are addressed.

01-5 The comment states that the EIR does not include analysis relevant to environmental justice issues, including cumulative impacts from the proposed Project. This issue was directly addressed in Section 4.1.1 of the Draft EIR where the issue of CalEnviroScreen was discussed. While the CalEnviroScreen is a useful tool in assessing a community's risk, it is not an appropriate tool for evaluating a project's impact on the environment as required under CEQA. An air quality emissions impact analysis and health risk assessments were prepared for the proposed Project and incorporated into the EIR (as described in Draft EIR Section 4.1.4). Within the SCAQMD jurisdiction, a Project's localized impacts (i.e., impacts to sensitive receptors) are also evaluated using Localized Significance Thresholds that were developed in response to environmental justice and health concerns raised by the general public regarding exposure of individuals to criteria pollutants in local communities. Additionally, the Health Risk Assessments (HRAs) prepared for the Project quantify risk levels at nearby sensitive receptors. The sensitive receptor impact analyses all resulted in the less than significant impacts with mitigation incorporated as discussed in Section 4.1.6 of the Draft EIR. Finally, the SCAQMD does not have guidance or thresholds developed for evaluating the cumulative environmental justice impacts of a project for CEQA.

01-6 The comment states that the EIR does not discuss the census tract of the Project as a SB 535 Disadvantaged Community. While this type of discussion is not required within CEQA, the discussion of the Project's census tract with respect to SB 535 and CalEnviroScreen is provided in Section 4.1.1 of the Draft EIR. No further response is required.

01-7 The comment states that the CalEEMod is not an approved energy model by the State of California and the EIR should be revised to use one of the approved models. First, the programs identified in the comment by the California Energy Commission are only authorized to be used under the performance approach (energy budget) method of compliance for the 2019 Energy Standards. The performance compliance approach uses computer modeling software to trade off efficiency measures. The performance approach requires an approved computer compliance program that models a proposed building, determines its allowed energy budget, calculates its energy use, and determines when it complies. Design options such as window orientation, shading, thermal mass, zonal control, and building configuration are all considered in the performance approach. This software is used to ensure compliance with the 2019 Energy Standards during the building permitting stage. The design of the Project and building must be finalized prior to using the software. The design of the Project is not far enough along at the time of preparation of this analysis to utilize such a detailed program.

The California Emissions Estimator Model (CalEEMod) is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct

emissions from construction and operation activities (including vehicle use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Further, the model identifies mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from measures chosen by the user.

The model was developed for the California Air Pollution Officers Association in collaboration with the California Air Districts. Default data (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) have been provided by the various California Air Districts to account for local requirements and conditions. The model is free of charge and will be periodically updated when modifications are warranted.

The model is a comprehensive tool for quantifying air quality impacts from land use projects located throughout California. The model can be used for a variety of situations where an air quality analysis is necessary or desirable such as preparing CEQA or National Environmental Policy Act documents, conducting pre-project planning, and, verifying compliance with local air quality rules and regulations, etc.

The use of CalEEMod to estimate energy use for CEQA documents is well documented and approved by lead and reviewing agencies such as the SCAQMD because it relies upon other approved models such as CARB's EMFAC, CARB's OFFROAD, and the California Commercial End Use Survey. As such, while the CalEEMod is not approved by the California Energy Commission to estimate energy budgets for building code compliance, it is acceptable for use in estimating energy use from projects within the context of CEQA.

01-8 The comment states that the Draft EIR's Table 4.8-2 erroneously finds consistency with the Southern California Association of Governments (SCAG) 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), also referred to as the Connect SoCal Plan. The comment suggests that due to modeling inputs that the commenter believes are incorrect, the Project has the potential to be inconsistent with Goal 5 (reduce GHG emissions and improve air quality), Goal 6 (support healthy and equitable communities), and Goal 7 (adapt to a changing climate). No clarification is provided regarding which modeling inputs are incorrect, however, it can be assumed that this comment references subsequent comments in which the commenter states that the Draft Initial Study/Mitigated Negative Declaration (IS/MND)'s air quality, greenhouse gas emission, and transportation-related impacts are incorrectly analyzed. Refer to Response to Comments 01-27 through 01-37 in which responses are provided to concerns regarding model inputs. As discussed within these responses, the model inputs used to calculate and analyze the Project's air quality, greenhouse gas emissions, and transportation-related impacts were correctly and appropriately selected and the Draft EIR is adequate as provided. As discussed throughout the Draft EIR, the Project would implement mitigation measures to reduce air quality and greenhouse gas emissions to the maximum extent feasible. Accordingly, the Project would not conflict with Goal 5 (reduce GHG emissions and improve air quality), Goal 6 (support healthy and equitable communities), and Goal 7 (adapt to a changing climate). Because no new environmental issues were identified, no further analysis is necessary.

01-9 The comment states that the Draft EIR does not provide any meaningful discussion or analysis regarding the proposed General Plan amendment and Zone Change. Section 4.8, Land Use and Planning, of the Draft EIR discusses the General Plan amendment and zone change. The General Plan amendment is discussed on Page 4.8-10 of the Draft EIR, and within Table 4.8-4, Consistency with the City of Montclair General Plan Goals, Objectives, and Policies, located on Pages 4.8-10 through 4.8-21 of the Draft EIR. The proposed zone change is discussed on Pages 4.8-21 and 4.8-22 of the Draft EIR.

The analysis provided in the Draft EIR, and compliance with the City's development review process would ensure the proposed Project would not conflict with the City's General Plan or Zoning Code. Because no new environmental issues were identified, no further analysis is necessary.

- 01-10** This comment summarizes Policy CE-1.1.6 of the City's General Plan and serves as an introduction to the following comment, see Response to Comment 01-11. No further response is required.
- 01-11** This comment cites the City's General Plan Policy CE-1.1.6 and indicates that mitigation relating to an operational deficiency at the Silicon Avenue/Mission Boulevard intersection is not included in the EIR. As noted in Section 4.10.4 of the Draft EIR, level of service (LOS) was addressed for informational purposes only and can no longer be used to determine significant transportation impacts under CEQA as directed by SB 743. On September 27, 2013, SB 743 was signed into law, which creates a process to change the way that transportation impacts are analyzed under CEQA. SB 743 required the Governor's Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. Under the new transportation guidelines, LOS, or vehicle delay, will no longer be considered an environmental impact under CEQA. The updates to the CEQA Guidelines required under SB 743 were approved on December 28, 2018. As LOS can no longer be considered an impact under CEQA, improvement measures related to the LOS deficiency at the Silicon Avenue/Mission Boulevard intersection are provided in the TIA, included as Appendix G to the Draft EIR, and are recommended for disclosure purposes only. As such, no additional analysis is required.
- 01-12** The comment refers to the City's General Plan Goal AQ-4.0.0 to reduce particulate emissions. As discussed in Section 3.3.1 and 4.1.4 of the Draft EIR, the Project is not consistent with the General Plan and requires a General Plan amendment as part of the approval process. However, mitigation measures MM-AQ-2, MM-AQ-3, MM-AQ-4, MM-AQ-5, and MM-AQ-7 are all intended to reduce emissions of particulate matter onsite from the Project during both construction and operation. Therefore, the Project would be consistent with this measure after mitigation.
- 01-13** The comment refers to the City's General Plan Goal AQ-2.2.0 to use incentives, regulations, and transportation demand management in cooperation with other jurisdictions in the South Coast Air Basin to reduce the vehicle miles traveled for auto trips. The Project incorporates transportation demand management strategies including a program as found in mitigation measure MM-AQ-3 of Section 4.1.6 of the Draft EIR. Therefore, the Project is consistent with this measure with mitigation.
- 01-14** The comment cites the City's General Plan Goal AQG-1.0.0 To achieve coordination of air quality improvements within the portion of SCAB in San Bernardino County and improve air quality through reductions in pollutants. This goal is for the City only and does not apply to development projects. No further response is required.
- 01-15** The comment states that because the EIR exceeds applicable air quality thresholds that it would be inconsistent with the general plan measures in comments 01-8 through 01-14. As shown in response to comments 01-8 through 01-14, the Project would not result in additional impacts not evaluated and disclosed within the Draft EIR. As such, no additional analysis is required.
- 01-16** This comment serves as an introduction to the comments that follow, see Responses to Comments 01-17 and 01-18. No further response is required or necessary.

- 01-17** The comment cites the City’s General Plan Goal AQ-3.0.0. To achieve a pattern of land uses which can be efficiently served by a diversified transportation system and development projects which directly and indirectly generate the minimum feasible air pollutants. As provided in Section 4.1.6 of the Draft EIR, mitigation measure MM-AQ-3 implements a transportation demand management program that directs the use of alternative transportation options around the Project site. The site is located in an infill location close to amenities and thus results in lower vehicle miles traveled than projects located on greenfield sites. Furthermore, mitigation measures MM-AQ-1 through MM-AQ-7 are in place to minimize the emissions from the Project during construction and operation. As such, the Project would be consistent with this goal.
- 01-18** The comment cites the City’s General Plan Objective AQ-3.1.0. Continue to ensure that the fundamental City documents, including the General Plan, achieve a community which is efficiently balanced in terms of jobs/housing and which adequately prepares for management of growth. This goal is directed to the City to manage and is not applicable to individual projects. However, the Project would support this objective by providing an estimated 244 jobs to the City.
- 01-19** The comment states that the EIR does not discuss or analyze Section 11.84 - Zoning Amendments of the City’s Municipal Code. Section 11. 84 requires the Planning Commission to make findings that “the public necessity, convenience, general welfare, or good zoning practices required the proposed change.” Section 4.8, Land Use and Planning, of the Draft EIR discusses the General Plan amendment and zone change. The General Plan amendment is discussed on Page 4.8-10 of the Draft EIR, and within Table 4.8-4, Consistency with the City of Montclair General Plan Goals, Objectives, and Policies, located on Pages 4.8-10 through 4.8-21 of the Draft EIR. The proposed zone change is discussed on Pages 4.8-21 and 4.8-22 of the Draft EIR. The analysis provided in the Draft EIR, and compliance with the City’s development review process would ensure the proposed Project would not conflict with the City’s General Plan or Zoning Code.
- 01-20** The comment states that the OPR 2018 Technical Advisory is not a legal interpretation, court decision, or amendment to the CEQA statute that clarifies the definition of automobile, states that the term “automobile” is not defined in the CEQA statute, and application of the OPR interpretation is speculative and does not provide an analysis of the “worst-case scenario” for environmental impacts. The comment further states that widespread public understanding and perception indicates that trucks, including medium and heavy-duty trucks associated with the industrial nature of warehouse operations, are automobiles. Although the Technical Advisory notes that “the document should not be construed as legal advice,” its purpose is “to provide advice and recommendations, which agencies and other entities may use at their discretion” and is provided “as a service to professional planners, land use officials, and CEQA practitioners.” OPR proposed, and the California Natural Resources Agency certified and adopted, the new CEQA Guidelines section 15064.3 that identifies vehicle miles traveled (VMT)—meaning the amount and distance of automobile travel attributable to a project—as the most appropriate metric to evaluate a project’s transportation impacts. The Technical Advisory’s intent is to provide guidance surrounding the implementation of CEQA Guidelines section 15064.3, under which OPR further defines the term automobile as “on-road passenger vehicles, specifically cars and light trucks.” The methodology for VMT analysis included in the Draft EIR utilizes OPR’s 2018 Technical Advisory as it currently serves as the industry’s best practice for VMT analysis provided by the State of California. Further, the Technical Advisory states that it “does not alter lead agency discretion in preparing environmental documents subject to CEQA.” The methodologies used to analyze VMT in the

Draft EIR and included in the TIA in Appendix G were reviewed and accepted by the lead agency, the City of Montclair, and follow the City’s VMT Threshold Ordinance (City Resolution No. 20-3281).

Further, as an example, although SB 743 doesn’t explicitly define the term “automobile,” Section 21168.6.6 (a)(3)(A)(ii) of the Public Resources Code indicates that the arena facility that will become the new home to the City of Sacramento’s NBA team would minimize operational traffic congestion and air quality impacts through either or both project design and the implementation of feasible mitigation measures that will do all of the following:

(I) Achieve and maintain carbon neutrality or better by reducing to at least zero the net emissions of greenhouse gases, as defined in subdivision (g) of Section 38505 of the Health and Safety Code, from private automobile trips to the downtown arena as compared to the baseline as verified by the Sacramento Metropolitan Air Quality Management District.

(II) Achieve a per attendee reduction in greenhouse gas emissions from automobiles and light trucks compared to per attendee greenhouse gas emissions associated with the existing arena during the 2012–13 NBA season that will exceed the carbon reduction targets for 2020 and 2035 achieved in the sustainable communities strategy prepared by the Sacramento Area Council of Governments for the Sacramento region pursuant to Chapter 728 of the Statutes of 2008.

In both instances noted above, the term “automobile” is either qualified as “private” automobile trips or supplemented by a distinction of automobiles and “light trucks.” These clarifications further indicate the intent of SB 743 to analyze the VMT of private automobiles and light trucks attributable to a project, consistent with the definition provided in the OPR’s 2018 Technical Advisory.

Additionally, the comment states that the operational nature of industrial/warehouse uses involves high rates of truck/trailer VMT, references VMT data provided in the Operational Mobile Source Assumptions Summary from Appendix B-1, and indicates that the Project’s truck/trailer activity is unable to use public transit, so the analysis is misleading to the public and decision makers to exclude the truck/trailer activity from the VMT analysis. As noted by the commentor, VMT data is provided in Appendix B-1 to the Draft EIR, which includes the truck/trailer trips not analyzed in Section 4.10, Transportation, under CEQA Guidelines Section 15064.3(b). As such, potential impacts regarding VMT related to truck/trailer VMT are not omitted from this Draft EIR, rather, they are analyzed under Section 4.6, Greenhouse Gas Emissions. As such, the Draft EIR adequately and accurately describes potential environmental effects associated with VMT, both including the analysis of automobile VMT in Section 4.10 per CEQA Guidelines Section 15064.3(b), and the analysis of truck/trailer VMT in Section 4.6. No further analysis is required.

01-21 The comment expresses a concern with the Draft EIR’s discussion regarding the labor force that would be needed to construct the Project. Construction would occur over approximately 28 months, and according to Section 5.10, Population and Housing, within Chapter 5, Effects Found Not to Be Significant, of the Draft EIR, the number of construction workers needed during any given period would largely depend on the specific stage of construction but would likely fluctuate between a few and several dozen workers on a daily basis. Based on information provided by the Project Applicant, they intend to construct the Project using a licensed general contractor with full-time staff that are assigned to construction projects on a rotating basis, depending on the nature of the construction

phase and the required worker skillsets. As such, the Project's construction labor needs would be met by a pool of existing construction workers in the region. The environmental effects (i.e., air pollutant and greenhouse emissions associated with vehicle miles traveled for worker trips) have been accounted for throughout the Draft EIR within the Project's air quality and GHG emission analyses. In this case, because the exact locations of where workers trips would originate, the analyses assumed a CalEEMod default worker trip length of 14.7 miles, as recommended for use by the California Air Pollution Control Officers Association (CAPCOA 2017). The Project does not involve any specialized construction methods that would require specialized construction workers to be sourced outside of the region. Additionally, construction of the Project would not result in substantial unplanned population growth that could cause environmental effects. As such, the Draft EIR adequately and accurately describes potential environmental effects associated with construction workers and construction of the Project.

- 01-22** The comment states that the Project should have used the City's employment generation factor for non-retail uses (Table 2 of the City's General Plan) instead of SCAG's employment generation factor. The City's General Plan employment generation factor was considered, however, due to the broad range of employment uses within the "non-retail" designation, this method was deemed to be unsuitable for this Project. As discussed in Section 5.10, Population and Housing, of the Effects Found Not to Be Significant chapter of the Draft EIR, a future tenant of the warehouse has not yet been identified, and thus, the number of jobs that the Project would generate cannot be precisely determined. Thus, the Draft EIR relied on an Employment Density Study produced by SCAG (SCAG 2001) to estimate the number of jobs the Project would generate, using the median number of jobs per square footage for industrial uses within San Bernardino County as a generation rate. This source is commonly used in CEQA documents for warehouse development and produced by SCAG, an expert agency. As such, the Draft EIR adequately and accurately describes potential environmental effects associated with calculated employment generation of the Project.
- 01-23** This comment states that use of the City's employment generation factor for non-retail uses indicates that the Project would generate 2,054 employees. The comment states that this would exceed the City's employment growth projections and is suggested to be a significant impact. However, as discussed in Response to Comment 01-22, the City asserts that the Draft EIR's employment estimates for the Project are sufficient and supported by substantial evidence. As such, the Project, which in practical terms involves the development of eight buildings, would not result substantial unplanned growth that could cause as significant impact on the environment.
- 01-24** This comment expresses a concern with the Draft EIR's alternative analysis, suggesting it did not evaluate a reasonable range of alternatives, including a project in compliance with the existing General Plan and Zoning designations or a project that would reduce all of the Project's significant and unavoidable impacts. Please refer to Chapter 7, Alternatives, of the Draft EIR. As discussed in Chapter 7, under case law and CEQA Guidelines Section 15126.6(f), the discussion of alternatives is subject to a rule of reason, and need not be exhaustive. An EIR need not consider a project alternative whose effects cannot be reasonably ascertained, whose implementation is remote and speculative, or whose execution does not substantially lessen or avoid the significant effects of a proposed project. In determining an appropriate range of project alternatives to be evaluated in this Draft EIR, a number of possible alternatives were initially considered and then rejected. Project alternatives were rejected because they could not accomplish the basic objectives of the Project, they would not have resulted in a reduction of significant adverse environmental impacts, or they were considered infeasible to

construct or operate. These alternatives included alternate locations, Alternate Land Uses without General Plan Amendment or Zone Change (contrary to the commenter's claim that the Draft EIR did not evaluate this alternative), Alternate Land Uses with General Plan Amendment or Zone Change, and also a Substantially Reduced Intensity Alternative that would avoid all of the Project's significant and unavoidable impacts (again, contrary to the commenter's claim that the Draft EIR did not evaluate this alternative). However, all of these alternatives were determined to be infeasible and were not selected for further evaluation. Three more alternatives were selected for further evaluation and include the No Project/No Development Alternative (Alternative 1), the Distribution Project Per Limited Manufacturing Zoning Designation Alternative (Alternative 2), and the Reduced Development Intensity Alternative (Alternative 3). Each alternative received a thorough evaluation within the Draft EIR, but it was determined that none of these alternatives would avoid the Project's significant impacts. Given this robust alternatives evaluation, the City asserts that the alternatives analysis contained in the Draft EIR adequately satisfies CEQA's requirement to evaluate a reasonable range of alternatives.

- 01-25** The comment serves as a conclusion to the letter, and requests that the City add the commenter to the City's public interest list for the Project. The comment is noted and the City has added the commenter to its list of parties to be notified for the Project. The comment does not identify specific areas where the EIR is inadequate; therefore, no further response is required.
- 01-26** The City acknowledges the comment as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.
- 01-27** The City acknowledges the comment as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.
- 01-28** The comment states that the architectural coating phase in the Draft EIR is unsubstantiated and incorrect in the modeling and must be corrected. As the commenter stated, the comments in the CalEEMod output show that the applicant provided the schedule for construction, therefore justifying the change in construction schedule for the architectural coating phase from the CalEEMod defaults. The construction schedule found on page 3-13 of the Draft EIR does not represent the latest information from the applicant. The FEIR will amend the construction schedule on page 3-13 to match the CalEEMod output files. No change to the modeling is necessary and the impact determinations from the Draft EIR would not change.
- 01-29** The comment states that the CalEEMod modeling change for GHG intensity was unsubstantiated and unsupported. As stated in the Draft EIR page 4.6-23, the GHG intensity for Southern California Edison (SCE) was updated to reflect what was published by SCE in their 2019 Sustainability Report (534 pounds of CO_{2e} per megawatt-hour). The commenter states that zeroing out the CH₄ and NO₂ is incorrect and should have been left as default. Because SCE only published a CO_{2e} emission factor and not CH₄ or NO₂, the CO_{2e} must be only used. CalEEMod calculates CO_{2e} by multiplying the emissions of CO₂, CH₄, and NO₂ by their global warming potentials and then adding them together. The CO_{2e} emission factor provided in the SCE Sustainability Report and used in the Draft EIR already accounts for the CO₂, CH₄, and NO₂ emissions and global warming potentials within SCEs inventory. Therefore, if the Draft EIR would have left the CH₄ and NO₂ default emission factors in there, the resulting CO_{2e} emissions would be overestimated as they would be double counting CH₄ and NO₂. As

such, no change in modeling is required. Furthermore, the emission factor from 2019 is conservative as the latest version of CalEEMod (version 2020.4.0) released in May 2021 reports a CO_{2e} emission factor for SCE of 393 pounds per megawatt-hour for 2021 and the first year of operation in 2024.

- 01-30** The comment states that the Draft EIR inappropriately changed the default grading values in CalEEMod, thus underestimating emissions of particulate matter. While the CalEEMod output showed a change in default value for the grading acreage, it has been determined after further investigation that it was an error in the CalEEMod input file for the Draft EIR and not a change in grading. A CalEEMod input file was created using the exact input parameters as shown in the Draft EIR using the same version of CalEEMod, version 2016.3.2. The CalEEMod default acreage in this output resulted in 112.5 acres, with no change from default shown in Section 1.2 of the output files. Therefore, the Draft EIR CalEEMod output files showing the 247.50 acres of grading are incorrect. All model outputs from the debugged input file are identical to what is presented in the Draft EIR and therefore the emissions and significance conclusions do not change based on this information. The model outputs created to show this was a CalEEMod error are included as Appendix A.
- 01-31** The comment states that the reduction in worker trips during the grading phase was unsubstantiated and resulted in an underestimating of emissions. Similar to the grading acreages discussed in response to comment 01-30, the default worker trips for the grading phase were incorrectly changed from a default in the Draft EIR CalEEMod output. The model outputs created in Appendix A show that using the exact input parameters as shown in the Draft EIR, using the same version of CalEEMod, the default number of workers for the grading phase is 20, consistent with what was modeled in the Draft EIR. Appendix A shows that there was no change from defaults using 20 worker trips for the grading phase. Therefore, no change in modeling is needed.
- 01-32** The comment states the results of the commenter’s construction model output shows the Project would result in an exceedance of the VOC threshold of significance. As discussed in response to comment 01-28, the construction schedule is accurate in the CalEEMod modeling and based on applicant provided information. Therefore, the emission results from the commenter are based on information not applicable to the Project and don’t represent the emissions of the Project. As such the commenters modeling and conclusions are incorrect.
- 01-33** The comment states that the Draft EIR’s evaluation of health risks are incorrect because the CalEEMod output files are incorrect as well as the health risk was not combined for construction and operation. First, as provided in responses to comment 01-28 through 01-32, the Draft EIR modeling and results were shown to be accurate and representative of the Project. Therefore, the emissions used in the HRA are also accurate and representative of the Project. Furthermore, if the comments in 01-28 through 01-32 were accurate (which as stated previously they are not) and emissions were underestimated, the emissions discussed in those comments would not impact the HRA. The comments focused on VOC emissions during the architectural coating phase, GHG emissions intensity, and fugitive dust emissions. The worker comment in 01-31 if accurate would not impact the HRA as worker vehicles are predominantly fueled by gasoline and vehicles during construction account for a fraction of the health risk as they are only on site for less than 2% of their entire trip. Secondly, SCAQMD has provided clear guidance on preparation of construction and operational HRAs and explicitly requests that construction and operational health risks be evaluated separately and not combined (Krause, pers. comm. 2019). Therefore, the health risk impacts of the Draft EIR are correct and do not need to be amended.

- 01-34** The comment states that the combined cancer risk impact from the Project from construction and operation would exceed the SCAQMD significance threshold. As discussed in response to comment 01-33, the SCAQMD requires that construction and operational health risk be evaluated separately (Krause, pers. comm. 2019). No further response is required.
- 01-35** The comment restates information contained in the Draft EIR and does not raise an environmental issue within the meaning of CEQA. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.
- 01-36** The City acknowledges the comment as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.
- 01-37** The comment states that the Draft EIR’s quantitative GHG analysis is unsubstantiated based on previous comments. As discussed in responses to comments 01-28 through 01-32, the Draft EIR modeling and results were shown to be accurate and representative of the Project. Therefore, the emissions presented in the Draft EIR are representative of the construction and operation of the Project and do not need to be remodeled.
- 01-38** The comment states that the Draft EIR fails to implement all feasible mitigation and additional feasible mitigation should be incorporated. This is an introduction to feasible mitigation measures presented in comments 01-40 through 01-61. Individual responses are provided within each comment to follow.
- 01-39** The City acknowledges the comment as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.
- 01-40** The comment recommends prohibiting off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day. As shown in the Draft EIR and Appendix A attached hereto, no piece of equipment was modeled to operate more than 8 hours per day. Therefore, this comment has no bearing on the Project as it would not reduce emissions.
- 01-41** This comment recommends requiring on-road heavy-duty haul trucks to be model year 2010 or newer if diesel-fueled. Based on conversations with the Project applicant, the Project applicant rejects this suggestion due to infeasibility of implementation because regulating and enforcing the types of vehicles sold and permitted to operate on public roads in the State (and accessing the Project site) falls outside of the jurisdictional authority of the applicant, as well as the City. The Project applicant has no ability or capacity to exclude vehicles that are permitted to be driven on public roads from accessing the Project site. It is the responsibility of federal and state agencies to regulate the types of vehicles sold and driven in California. If CARB’s desire is to limit permitted engine types to 2014 or newer, or require zero-emission trucks, it is within CARB’s ability to do so. At present, compliance with CARB’s Truck and Bus Regulation is in place, which would require the Project’s future building tenants to comply with the applicable phase-in timeline required by state regulation to ensure that any heavy trucks serving the Project would meet 2010 model year engine requirements or equivalent by January 1, 2023. In June 2020, CARB adopted the Advanced Clean Trucks Regulation that requires truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045,

every new truck sold in California would be required to be zero-emission. When commercial availability of electric-powered long-haul trucks is more readily available in the future, it is expected that such trucks will be part of the Project's operation. The Project also includes MM-AQ-4 which encourages the use of zero-emission vehicles and on-site charging facilities by ensuring that Project buildings are designed and have the electrical capacity to accommodate panels that would be required to serve future truck charging needs.

- 01-42** This comment recommends providing electrical hookups to the power grid, rather than use of diesel-fueled generators, for electric construction tools such as saws, drills, and compressors, and using electric tools whenever feasible. The site is currently occupied and has electrical service provided to the site by SCE. Therefore, to the extent feasible during construction, contractors will use electric-powered equipment. This is reinforced by MM-AQ-2 that states when construction equipment units that are less than 50 horsepower would be employed, that equipment shall be electrical or natural-gas powered, where available. As provided in Section 4.1.6 of the Draft EIR, with mitigation, impacts during construction would be less than significant. Therefore, no additional mitigation is required during construction.
- 01-43** This comment recommends limiting the amount of daily grading disturbance area. The Project has provided a grading plan that projects 139,305 cubic yards of cut, 103,261 cubic yards of fill, with 36,042 cubic yards of export over 45 days. When grading is complete, the Project site would be in a generally flat condition with a slight downward slope from northeast to southwest; the highest point of the Project site would be its northeastern corner (approximately 927 feet above mean sea level) and the lowest point would be its southwestern corner (approximately 903 feet above mean sea level). No additional grading is anticipated beyond what is proposed and will be limited to the extent feasible to ensure impacts remain within what is presented in the Draft EIR. As provided in Section 4.1.6 of the Draft EIR, mitigation measure MM-AQ-2 is required to reduce emissions during construction to below levels of significance. Therefore, no additional mitigation is required during construction.
- 01-44** This comment recommends prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the Project area. As provided in Section 4.1.6 of the Draft EIR, mitigation measure MM-AQ-2 is required to reduce emissions during construction to below levels of significance. Therefore, no additional mitigation is required during construction.
- 01-45** This comment recommends keeping equipment maintenance records and data sheets on site for lead agency review upon request. As provided in mitigation measure MM-AQ-2, "Heavy-duty diesel-powered construction equipment shall be equipped with Tier 4 Interim or better diesel engines for engines 75 horsepower or greater. The City shall verify and approve all pieces within the construction fleet that would not meet Tier 4 Interim standards." Therefore, this comment is already addressed in the Draft EIR. No further response is required.
- 01-46** This comment recommends conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts. As provided in Section 4.1.6 of the Draft EIR, mitigation measure MM-AQ-2 is required to reduce emissions during construction to below levels of significance. Therefore, no additional mitigation is required during construction.
- 01-47** This comment recommends using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L. As shown in Tables 4.1-10 and 4.1-11

of the Draft EIR, emissions of VOCs were below the SCAQMD significance thresholds. Therefore, additional mitigation to reduce VOC emissions is not required.

- 01-48** This comment recommends providing meal options on site or shuttles between the facility and nearby meal destinations for construction employees. As provided in Section 4.1.6 of the Draft EIR, with mitigation, impacts during construction would be less than significant. Therefore, no additional mitigation is required during construction.
- 01-49** This comment recommends requiring vehicles greater than 14,000 pounds to meet or exceed 2010 model-year emissions standards. Please refer to response to comment 01-41 for a complete response to this topic.
- 01-50** This comment recommends requiring all heavy-duty vehicles entering or operated on the Project site to be zero-emission beginning in 2030. As discussed in response to comment 01-41, in June 2020, CARB adopted the Advanced Clean Trucks Regulation that requires truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California would be required to be zero-emission. When commercial availability of electric-powered long-haul trucks is more readily available in the future, it is expected that such trucks will be part of the Project's operation. The Project also includes MM-AQ-4 which encourages the use of zero-emission vehicles and on-site charging facilities by ensuring that Project buildings are designed and have the electrical capacity to accommodate panels that would be required to serve future truck charging needs. The Project would support the adoption of zero-emissions heavy-duty vehicles in the future. However, restricting the Project's tenants to use of zero-emission vehicles would be financially infeasible as it would limit the potential tenants for the Project as well as customers of the site.
- 01-51** This comment recommends installing and maintaining, at the manufacturer's recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of the facility for the life of the Project. This measure originated from a list of potential measures that warehouse operators within the SCAQMD region could use to earn points that would be used determine a mitigation obligation pursuant to Rule 2305, WAIRE Program. This measure in particular is intended to address potential impacts that warehouses and the associated truck traffic could have on sensitive receptors that are adversely affected by localized air pollutant emissions by installing air filtering systems at sensitive receptors. As discussed in Section 4.1.6 of the Draft EIR, the Project's localized air quality impacts would be less than significant with mitigation, and that the Project would not have a significant adverse effect on sensitive receptors. As such, there is no nexus to require this measure to reduce the Project's impacts. Therefore, this mitigation measure will not be included within the EIR.
- 01-52** This comment recommends installing and maintaining an air monitoring station proximate to sensitive receptors. As discussed in Section 4.1.2 of the Draft EIR, in San Bernardino County, CARB has 12 air quality monitoring stations. The closest station to the Project site is the Upland monitoring station, approximately 5.4 miles north-east from the Project site, which monitors for O₃, NO₂, and CO. The closest monitoring station to the Project site that monitors SO₂ and PM₁₀ is the Fontana monitoring station, approximately 12.7 miles east of the Project site. The closest monitoring station to the Project site that monitors PM_{2.5} is the Ontario monitoring station, approximately 5.6 miles southeast from the Project site. The data from these monitoring stations is already available to the public. Therefore, it is not necessary to install air monitoring stations at sensitive receptor locations.

- 01-53** This comment recommends constructing electric truck charging stations proportional to the number of dock doors at the Project. As discussed in Section 4.1.6 of the Draft EIR, mitigation measure MM-AQ-4 is included and requires the Project to install Level 2 EV charging stations for 10% of all parking spaces and install EV infrastructure at the truck loading bays. Therefore, this measure is already included in the Project’s design.
- 01-54** This comment recommends requiring all stand-by emergency generators to be powered by a non-diesel fuel. As discussed in Section 4.1.3 of the Draft EIR, consistent with the Project description, the buildings would not support refrigeration or cold-storage so no emergency generator was assumed. Therefore, this measure does not apply to the Project.
- 01-55** This comment recommends requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. As provided in Section 4.1.6 of the Draft EIR, mitigation measure MM-AQ-5 requires the Project to minimize idling time of all vehicles and equipment for periods no greater than 5 minutes. Signage shall be posted at truck parking spots, entrances, and truck bays advising that idling time shall not exceed 5 minutes per idling location. To the extent feasible, the tenant shall restrict idling emission from trucks by using auxiliary power units and electrification. As discussed in Section 4.10.4 of the Draft EIR, sufficient throat distance is available along the drive aisle at this driveway to accommodate approximately 550 feet of queuing between Mission Boulevard and the proposed 3rd Street extension. As one vehicle is routed out of the Project site at this driveway during the morning peak hour, queuing would be negligible, and limited to one vehicle length. Therefore, impacts associated with hazardous design features in conjunction with the implementation of improvements would be less than significant. Moreover, as provided in Section 5.4, Loading Facilities, of the Covenants, Conditions, and Restrictions for the Project, all temporary loading and unloading activities shall be conducted from the loading dock within each parcel. No loading and unloading activities shall be conducted in any manner which may obstruct free traffic flow of drive aisles and fire lanes during normal business hours or otherwise constitute a nuisance or create a safety hazard. As such, idling and queuing of trucks will be minimized as much as possible in accordance with MM-AQ-5.
- 01-56** This comment recommends achieving certification of compliance with LEED green building standards. While the Project has not committed to LEED certification, it has included design features and mitigation measures that align with the LEED standards including the following: MM-AQ-3–Vehicle Miles Traveled Reduction Strategies; MM-AQ-6–Energy Conservation; MM-GHG-1–Water Conservation; and MM-GHG-2–Solid Waste Reduction. Furthermore, the Project would be required to be constructed in accordance with the latest Title 24 standards, as well as the California Green Building Standards Code.
- 01-57** This comment recommends providing meal options on site or shuttles between the facility and nearby meal destinations. As provided in Section 4.1.6 of the Draft EIR, mitigation measure MM-AQ-3 includes the following related measures:

Bicycle and Pedestrian Travel

- a) Develop a comprehensive pedestrian network designed to provide safe bicycle and pedestrian access between the various internal Proposed Project land uses, which will include design elements to enhance walkability and connectivity and shall minimize barriers to pedestrian

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

Ride-Sharing and Commute Reduction

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

Transit

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

Furthermore, there are eateries within walking distance of the Project site allowing employees and visitors to have meals without using any vehicles. As such, inclusion of this measure is not necessary.

01-58 The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part

of the Final EIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.

- 01-59** This comment recommends improving and maintaining vegetation and tree canopy for residents in and around the Project area. As depicted in Figure 3-10 of the Draft EIR, Landscape Plan, landscaping is proposed for the passenger vehicle parking areas, around the portions of the building visible from off-site areas, as well as the site's frontages with Mission Boulevard, Ramona Avenue, 3rd Street, and State Street. Landscaping along the site's frontages would include a mixture of trees, shrubs, and groundcover. Proposed trees include 24-inch box Desert Willow, 24-inch box Chitalpa, 24-inch box Tulip trees, 24-inch Coast Live Oaks, and 15-gallon Brisbane Box trees. The landscaping materials along the Project frontages incorporate a layering concept to provide different height trees and border or accent shrubs and low ground covers. Plant material is selected for low water and low maintenance. As such, the vegetation will be professionally maintained by the Project owner or tenant.
- 01-60** This comment recommends every tenant train its staff in charge of keeping vehicle records attend CARB-approved courses. The Project, as a condition of approval, will include in its tenant agreements that staff in charge of keeping vehicle records attend CARB approved courses related to diesel trucks, such as MS521.9: CARB Diesel Truck Rules–Compliance Options and Reporting Requirements for 2022 and Beyond and MS525: Compliance Overview: Truck & Bus Rule, Off-Road Regulation, and Portable Equipment.
- 01-61** This comment recommends requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants to use carriers that are SmartWay carriers. The Project is committed to reducing emissions from trucks during operation as provided in mitigation measure MM-AQ-4 and MM-AQ-5. The Project is also subject to SCAQMD Rule 2305 (WAIRE), which may further reduce emissions below what is shown in Draft EIR Table 4.1-12. Options under the WAIRE rule include using zero-emission or near zero-emission vehicles, installing charging infrastructure, and using zero-emission or near zero-emission yard trucks. While the SmartWay program is beneficial in reducing fuel consumption and thus air quality and GHG emissions, the Project is open to all programs that help reduce fuel consumption and use alternative fuels. Requiring one program such as SmartWay would prevent the Project from allowing tenants the flexibility of using other low- and zero-emission technologies that may not otherwise qualify for the SmartWay program. The Project will encourage tenants to incorporate SmartWay technologies but will not require them to be exclusively part of the SmartWay program.
- 01-62** This comment summarizes previous comments in which it is stated that all feasible mitigation measures should be required of the Project. Refer to Responses to Comments O1-40 through O1-61, in which the inclusion of the suggested mitigation measures is discussed. This is a summary comment, and no additional response is required.
- 01-63** The comment provides a disclaimer and serves as a conclusion to the comment letter. The comment does not address the adequacy of the analysis in the Draft EIR. Because no new environmental issues were identified, no further analysis is necessary.

Response to Comment Letter O2

Golden State Environmental Justice Alliance
March 1, 2022

- 02-1** This comment introduces GSEJA and references its comment letter submitted on the Draft EIR, dated February 22, 2022 (Comment Letter O1). The comment states that after further review, GSEJA is withdrawing its original comment letter in response to actions taken by the Project Applicant to address GSEJA's environmental concerns with the Project. The environmental concerns raised by GSEJA are included in Comment Letter O1. While GSEJA's original letter was rescinded, responses to these concerns, as well as additional actions that will be undertaken by the Project Applicant to address these, are provided above in Response to Comment Letter O1.

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Response to Comment Letter O3

Southwest Regional Council of Carpenters
 Mitchell M. Tsai, Attorney, Mitchel M. Tsai
 February 24, 2022

- 03-1** The comment summarizes the Project and introduces the commenter as the Southwest Regional Council of Carpenters. The comment does not address the adequacy of the analysis in the Draft EIR. Therefore, no revisions are required for the Final EIR, and no further response is provided.
- 03-2** The comment reserves the commenter’s right to provide additional comments on the Project and incorporates “all comments raising issues regarding the EIR.” The comment does not address the adequacy of the analysis in the Draft EIR. Therefore, no revisions are required for the Final EIR, and no further response is provided.
- 03-3** The comment requests notification from the City referring or related to the Project. The comment does not address the adequacy of the analysis in the Draft IS/MND. Therefore, no revisions are required for the Final IS/MND, and no further response is provided.
- 03-4** The comment states that the City should require the Project Applicant to hire local, skilled, and trained workers to build the Project, specifically workers who have graduated from a Joint Labor Management apprenticeship training program or have as many on-the-job hours of experience as would be required by such a state-approved apprenticeship program. The comment states that hiring local can reduce environmental impacts of the Project by hiring workers who reside within a 10-mile radius of the Project site. The comment further states that hiring locally can have “sustainable economic development” and points out that cities such as Hayward are adopting policies into General Plans and Municipal Codes. The comment states that hiring local workers would reduce VMT. The comment suggests that the City consider a hire-local requirement to address greenhouse gas emissions, air quality, and transportation issues.
- The City appreciates the comment and notes that the Draft EIR analyzed the Project’s air quality, GHG, and transportation-related impacts in Chapter 4.1, Air Quality; Chapter 4.6, Greenhouse Gas Emissions; and Chapter 4.10, Transportation. Additionally, the comment does not address the adequacy of the analysis in the Draft EIR. Therefore, no revisions are required for the Final EIR, and no further response is provided.
- 03-5** The comment serves as a conclusion to the comment letter. The comment does not address the adequacy of the analysis in the Draft EIR. Therefore, no revisions are required for the Final EIR, and no further response is provided.
- 03-6** This comment from Soil Water Air Protection Enterprise introduces comments to follow and explains the significance of worker trips in relation to GHG emissions using CalEEMod. This comment serves as a general advisory document to supplement comments provided in Comment O3-4 and does not raise any specific issues concerning the adequacy of the Draft EIR. This comment is forwarded to the City’s decision-makers for their consideration; however, no further response is required.

- 03-7** The comment provides guidance on how default worker trip length and trips are calculated in CalEEMod and provides an explanation on how urban worker trip lengths tend to be shorter. This comment serves as general advisory information to supplement comments provided in Comment 03-4 and does not raise any specific issues concerning the adequacy of the Draft EIR. This comment is forwarded to the City's decision-makers for their consideration; however, no further response is required.
- 03-8** The comment provides an example to demonstrate how local hire provisions reduce construction-related GHG emissions. This comment serves as general advisory information to supplement comments provided in Comment 03-4 and does not raise any specific issues concerning the adequacy of the Draft EIR. This comment is forwarded to the City's decision-makers for their consideration; however, no further response is required.
- 03-9** The comment provides a disclaimer and serves as a conclusion to the comment letter. The comment does not address the adequacy of the analysis in the Draft EIR. Therefore, no revisions are required for the Final EIR, and no further response is provided.

Response to Comment Letter O4

Southwest Regional Council of Carpenters
Mitchell M. Tsai, Attorney, Mitchel M. Tsai
March 23, 2022

- 04-1** This comment introduces the Southwest Regional Council of Carpenters (SWRCC) and references its comment letter submitted on the EIR, dated February 24, 2022 (Comment Letter O3). The comment states that SWRCC is withdrawing its original comment after receiving further information about the Project. The comment expresses SWRCC's support for the Project because SWRCC believes that the Project will benefit the environment and local economy by utilizing a local skilled and trained workforce and will be built utilizing protocols that protect worker health and safety. While SWRCC's original letter was rescinded, the original comment letter and responses to the comments contained therein are provided in Response to Comment Letter O3.

3 Changes to the Draft Environmental Impact Report

3.1 Introduction

As provided in Section 15088(c) of the CEQA Guidelines, responses to comments may take the form of a revision to a Draft EIR or may be a separate section in the Final EIR. This section complies with the latter option and provides changes to the Draft EIR in this chapter shown as strikethrough text (i.e., ~~strikethrough~~) signifying deletions and underlined text (i.e., underline) signifying additions. These changes are meant to provide clarification, corrections, or minor revisions made to the Draft EIR initiated by the Lead Agency, City of Montclair, reviewing agencies, the public, and/or consultants based on their review. Text changes are presented in the section and page order in which they appear in the Draft EIR. None of the corrections or additions constitutes significant new information or substantial project changes that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR.

3.2 Changes to the Draft Environmental Impact Report

Changes to the Draft EIR are provided in this section. Page numbers correspond to the Draft EIR.

3.2.1 Changes to Chapter 4.1, Air Quality

The CalEEMod output, included as Appendix B in the DEIR, showed a change in default value for the grading acreage. It has been determined after further investigation that it was an error in the CalEEMod input file for the DEIR and not a change in grading. A CalEEMod input file was created using the exact input parameters as shown in the DEIR using the same version of CalEEMod, version 2016.3.2. The CalEEMod default acreage in this output resulted in 112.5 acres, with no change from the default shown in Section 1.2 of the output files. Therefore, the DEIR CalEEMod output files showing the 247.50 acres of grading are incorrect. All model outputs from the debugged input file are identical to what is presented in the DEIR and therefore the emissions and significance conclusions do not change based on this information. The model outputs created to show this was a CalEEMod error are included as Appendix A to this Final EIR.

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4 Mitigation Monitoring and Reporting Program

4.1 Introduction

California Public Resources Code Section 21081.6 requires that, upon certification of an EIR, “the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.” (PRC Section 21000–21177)

This Mitigation Monitoring and Reporting Program was developed in compliance with Section 21081.6 of the California Public Resources Code and Section 15097 of the CEQA Guidelines (14 CCR 15000–15387 and Appendices A–L.), and includes the following information:

- A list of mitigation measures
- The timing for implementation of the mitigation measures
- The party responsible for implementing or monitoring the mitigation measures
- The date of completion of monitoring

The City of Montclair must adopt this Mitigation Monitoring and Reporting Program, or an equally effective program, if it approves the proposed Project with the mitigation measures that were adopted or made conditions of Project approval.

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4.2 Mitigation Monitoring and Reporting Program Table

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Date of Completion
<i>Air Quality</i>			
MM-AQ-1: Prior to Southern California Association of Governments (SCAG’s) next update to the regional growth forecast as part of the Regional Transportation Plan/Sustainable Communities Strategy, the City of Montclair (City) shall prepare a revised employment forecast for SCAG that reflects anticipated growth generated from the proposed Project. The updated forecast provided to SCAG shall be used to inform the South Coast Air Quality Management District’s update to the Air Quality Management Plan. The City shall prepare and submit a letter notifying the South Coast Air Quality Management District of this revised forecast for use in the future update to the Air Quality Management Plan as required.	Prior to the Regional Transportation Plan/Sustainable Communities Strategy regional growth forecast update	City of Montclair	
MM-AQ-2: Construction Equipment. Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during each construction phase to minimize diesel particulate matter emissions: a) Heavy-duty diesel-powered construction equipment shall be equipped with Tier 4 Interim or better diesel engines for engines 75 horsepower or greater. The City shall verify and approve all pieces within the construction fleet that would not meet Tier 4 Interim standards. b) Vehicles in loading and unloading queues shall not idle for more than 5 minutes and shall turn their engines off when not in use to reduce vehicle emissions. c) All construction equipment shall be properly tuned and maintained in accordance with manufacturer’s specifications. d) When construction equipment units that are less than 50 horsepower would be employed, that equipment shall be electrical or natural gas powered, where available. e) A Construction Traffic Control Plan shall be developed to ensure construction traffic and equipment use is minimized to the extent practicable. The Construction Traffic Control Plan shall include measures to reduce the amount of large pieces of equipment operating simultaneously during peak construction periods, schedule vendor and haul truck trips to occur during non-peak hours, establish dedicated construction parking areas to encourage carpooling and efficiently accommodate construction vehicles, identify alternative routes to reduce traffic congestion during peak activities, and increase construction employee carpooling.	Prior to construction-related permit approvals	City of Montclair	
MM-AQ-3: Vehicle Miles Traveled Reduction Strategies. Prior to the approval of any construction-related permits, the Project applicant or its designee shall prepare a Transportation Demand Management (TDM) Program to facilitate increased opportunities for transit, bicycling, and pedestrian travel, as well as provide the resources, means, and incentives for ride-sharing and carpooling to reduce vehicle miles traveled and associated criteria air pollutant emissions. The Plan shall be subject to the City’s review and approval. The following components are to be included in the TDM Program: <i>Bicycle and Pedestrian Travel</i> a) Develop a comprehensive pedestrian network designed to provide safe bicycle and pedestrian access between the various internal Proposed Project land uses, which will include design elements to enhance walkability and connectivity and shall minimize barriers to pedestrian access and interconnectivity. Physical barriers, such as walls or landscaping, that impede pedestrian circulation shall be eliminated. b) The Proposed Project design shall include a network that connects the Proposed Project uses to the existing off-site facilities (e.g., existing off-site bike paths). c) Proposed Project design shall include pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways shall be designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips with traffic calming features. Traffic calming features may include: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, and others.	Prior to construction-related permit approvals	City of Montclair	

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Date of Completion
<p>d) Provide bicycle parking facilities along main travel corridors: one bike rack space per 20 vehicle/employee parking spaces or to meet demand, whichever results in the greater number of bicycle racks.</p> <p>e) Provide shower and locker facilities to encourage employees to bike and/or walk to work: one shower and three lockers per every 25 employees.</p> <p><i>Ride-Sharing and Commute Reduction</i></p> <p>a) Promote ridesharing programs through a multi-faceted approach, such as designating a certain percentage of parking spaces for ridesharing vehicles; designating adequate passenger loading and unloading and waiting areas for ridesharing vehicles; or providing a website or message board for coordinating rides.</p> <p>b) Implement marketing strategies to reduce commute trips. Information sharing and marketing are important components to successful commute trip-reduction strategies. Implementing commute trip-reduction strategies without a complementary marketing strategy would result in lower VMT reductions. Marketing strategies may include: new employee orientation of trip reduction and alternative mode options; event promotions; or publications.</p> <p>c) One percent (1%) of vehicle/employee parking spaces shall be reserved for preferential spaces for car pools and van pools.</p> <p>d) Coordinate with the Southern California Association of Governments (SCAG) for carpool, vanpool, and rideshare programs that are specific to the Proposed Project.</p> <p>e) Implement a demand-responsive shuttle service that provides access throughout the GCSP area, to the park-and-ride lots, and to the nearby transit centers.</p> <p><i>Transit</i></p> <p>a) Bus pull-ins shall be constructed where appropriate within the Proposed Project area.</p> <p>b) Coordinate with SCAG on future siting of transit stops/stations within or near the Project.</p>			
<p>MM-AQ-4: Encourage Electric Vehicles. Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during construction:</p> <p>a) Install Level 2 EV charging stations in 10% of all parking spaces, with a minimum of 43 EV charging stalls for the Project site.</p> <p>b) Install EV infrastructure at truck loading bays for trucks to plug-in when commercially available.</p>	Prior to construction-related permit approvals	City of Montclair	
<p>MM-AQ-5: Idling Restriction. For proposed Project land uses that include truck idling, the Project shall minimize idling time of all vehicles and equipment to the extent feasible and shall include such restrictions in the Covenants, Conditions, and Restrictions (CCRs) for tenants of the Project; idling for periods of greater than five (5) minutes shall be prohibited. Signage shall be posted at truck parking spots, entrances, and truck bays advising that idling time shall not exceed five (5) minutes per idling location. To the extent feasible, the tenant shall restrict idling emission from trucks by using auxiliary power units and electrification.</p>	During construction	City of Montclair	
<p>MM-AQ-6: Energy Conservation. Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during each construction phase:</p> <p>a) Install a solar-ready rooftop to facilitate the installation of solar photovoltaic panels in the future.</p> <p>b) Purchase 100% renewable electricity through SCE.</p> <p>c) Install Energy Star rated heating, cooling, lighting, and appliances.</p> <p>d) Outdoor lighting shall be light emitting diodes (LED) or other high-efficiency lightbulbs.</p> <p>e) Provide information on energy efficiency, energy efficient lighting and lighting control systems, energy management, and existing energy incentive programs to future tenants of the Proposed Project.</p> <p>f) Non-residential structures shall meet the U.S. Green Building Council standards for cool roofs. This is defined as achieving a 3-year solar reflective index (SRI) of 64 for a low-sloped roof and 32 for a high-sloped roof.</p> <p>g) Outdoor pavement, such as walkways and patios, shall include paving materials with 3-year SRI of 0.28 or initial SRI of 0.33.</p>	Prior to construction-related permit approvals	City of Montclair	

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Date of Completion
<ul style="list-style-type: none"> h) Construction of modest cool roof, defined as Cool Roof Rating Council (CRRC) Rated 0.15 aged solar reflectance and 0.75 thermal emittance. i) Use of Heating, Ventilation and Air Conditioning (HVAC) equipment with a Seasonal Energy Efficiency Ratio (SEER) of 12 or higher. j) Installation of water heaters with an energy factor of 0.92 or higher. k) Maximize the use of natural lighting and include daylighting (e.g., skylights, windows) in rooms with exterior walls that would normally be occupied. l) Include high-efficacy artificial lighting in at least 50% of unit fixtures. m) Install low-NOx water heaters and space heaters, solar water heaters, or tank-less water heaters. n) Use passive solar cooling/heating. o) Strategically plant trees to provide shade. p) Structures shall be equipped with outdoor electric outlets in the front and rear of the structure to facilitate use of electrical lawn and garden equipment. 			
<p>MM-AQ-7: Electric Forklifts and Yard-Trucks. Proposed Project warehouse and manufacturing tenants shall require that all forklifts and yard-trucks are electric-powered or utilize other zero-emission technology. These requirements shall be included in the Project’s Covenants, Conditions, and Restrictions (CCRs).</p>	During construction	City of Montclair	
Biological Resources			
<p>MM-BIO-1: The construction contractors’ contract specifications shall include the following requirements: “Construction activities should avoid the migratory bird nesting season (typically February 1 through August 31), to reduce any potential significant impact to birds that may be nesting on the study area. If construction activities must occur during the migratory bird nesting season, an avian nesting survey of the Project site and contiguous habitat within 500 feet of all impact areas must be conducted for protected migratory birds and active nests. The avian nesting survey shall be performed by a qualified wildlife biologist within 72 hours prior to the start of construction in accordance with the MBTA (16 USC 703–712) and California Fish and Game Code, Sections 3503, 3503.5, and 3513. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with an appropriate no disturbance buffer, which will be determined by the biologist based on the species’ sensitivity to disturbance (typically 300 feet for passerines and 500 feet for raptors and special-status species). The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing.”</p>	During construction	City of Montclair	
Cultural Resources			
<p>MM-CUL-1: All construction personnel and monitors who are not trained archaeologists shall be briefed regarding inadvertent discoveries prior to the start of construction activities. A basic presentation and handout or pamphlet shall be prepared in order to ensure proper identification and treatment of inadvertent discoveries. The purpose of the Workers Environmental Awareness Program (WEAP) training is to provide specific details on the kinds of archaeological materials that may be identified during construction of the Project and explain the importance of and legal basis for the protection of significant archaeological resources. Each worker shall also learn the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground-disturbing activities. These procedures include work curtailment or redirection, and the immediate contact of the site supervisor and archaeological monitor.</p>	Prior to construction activities	City of Montclair	
<p>MM-CUL-2: A qualified archaeologist shall be retained and on-call to respond and address any inadvertent discoveries identified during initial excavation in native soil. Initial excavation is defined as initial construction-related earth moving of sediments from their place of deposition. As it pertains to archaeological monitoring, this definition excludes movement of sediments after they have been initially disturbed or displaced by Project-related construction. A qualified archaeological principal investigator, meeting the Secretary of the Interior’s Professional Qualification Standards, should oversee and adjust monitoring efforts as needed (increase, decrease, or discontinue monitoring frequency) based on the observed potential for construction activities to encounter cultural deposits or material. The archaeological monitor will be responsible for maintaining daily monitoring logs. In the event that potential prehistoric or historical archaeological resources (sites, features, or artifacts) are exposed during construction activities for the Project, all construction work occurring within 100 feet of the find shall</p>	During construction	City of Montclair	

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Date of Completion
immediately stop and a qualified archaeologist must be notified immediately to assess the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted. If monitoring is conducted, an archaeological monitoring report shall be prepared within 60 days following completion of ground disturbance and submitted to the City for review. This report should document compliance with approved mitigation, document the monitoring efforts, and include an appendix with daily monitoring logs. The final report shall be submitted to the South Central Coastal Information Center (SCCIC).			
Geology and Soils			
MM-GEO-1: In the event that paleontological resources (fossil remains) are exposed during construction activities for the Project, all construction work occurring within 50 feet of the find shall immediately stop until a qualified paleontologist, as defined by the Society of Vertebrate Paleontology’s 2010 guidelines, can assess the nature and importance of the find. Depending on the significance of the find, the qualified paleontologist may record the find and allow work to continue or may recommend salvage and recovery of the resource. All recommendations will be made in accordance with the Society of Vertebrate Paleontology’s 2010 guidelines and shall be subject to review and approval by the City of Montclair. Work in the area of the find may only resume upon approval of a qualified paleontologist.	During construction	City of Montclair	
Greenhouse Gas Emissions			
MM-GHG-1: Water Conservation. Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during construction: a) Install low-water use appliances and fixtures b) Restrict the use of water for cleaning outdoor surfaces and prohibit systems that apply water to non-vegetated surfaces c) Implement water-sensitive urban design practices in new construction d) Install rainwater collection systems where feasible.	Prior to construction-related permit approvals	City of Montclair	
MM-GHG-2: Solid Waste Reduction. Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during construction: a) Provide storage areas for recyclables and green waste in new construction, and food waste storage, if a pick-up service is available. b) Evaluate the potential for on-site composting.	Prior to construction-related permit approvals	City of Montclair	
Hazards and Hazardous Materials			
MM-HAZ-1: Prior to issuance of a grading permit, the existing subsurface feature in the northeastern portion of the Project site (as evidenced by the manholes) shall be identified. If it is determined to be a subsurface tank, clarifier, or oil/water separator, the feature shall be closed and removed from the Project site in accordance with San Bernardino County Fire Department requirements prior to site construction. The closure will include the following: a) Obtain permits from the San Bernardino County Fire Department b) Remove all wastes from the units for proper disposal c) Remove the subsurface feature for proper disposal/recycling and remove or cap/plug associated piping in accordance with the permit requirements d) Follow permit requirements If impacted soil is identified, manage soil in accordance with MM-HAZ-2.	Prior to issuance of a grading permit	City of Montclair	
MM-HAZ-2: Prior to issuance of a grading permit, a hazardous materials contingency plan (HMCP) shall be prepared and shall be followed during demolition, excavation, and construction activities for the proposed Project. The hazardous materials contingency plan shall include, at a minimum, the following: a) Identification of known and suspected areas with hazardous waste and/or hazardous materials of concern. b) Procedures for identifying suspect materials c) Procedures for temporary cessation of construction activity and evaluation of the level of environmental concern	Prior to issuance of a grading permit	City of Montclair	

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Date of Completion
<p>d) Procedures for restricting access to the contaminated area except for properly trained personnel</p> <p>e) Procedures for notification and reporting, including internal management and local agencies (e.g., San Bernardino County Fire Department), as needed</p> <p>f) Health and safety measures for excavation of contaminated soil</p> <p>g) Procedures for characterizing and managing excavated soils</p> <p>Site workers shall be familiar with the hazardous materials contingency plan and should be fully trained on how to identify suspected contaminated soil.</p>			
<p>MM-HAZ-3: Prior to commencement of construction of the northwestern proposed building (Building 1), a vapor intrusion mitigation system shall be designed for the portion of Building 1 with vapor intrusion concerns (see Figure 4.6-1, Known Hazards Building Footprints Map). The vapor mitigation system shall include one or more of the methods presented in the Department of Toxic Substances Control’s <i>Vapor Intrusion Mitigation Advisory</i> dated October 2011. The construction contractor shall design a vapor intrusion mitigation system that adequately mitigates potential vapor intrusion in the northwestern corner of the building. The vapor mitigation design shall be submitted to the City for review and approval prior to issuance of a building permit. Typical vapor mitigation systems are comprised of a sub-slab geomembrane or vapor barrier. Sub-slab ventilation piping is typically installed below the geomembrane layer for capturing VOCs in the soil gas and discharging them above the building roof through vent stacks. The vapor barrier, if used, shall be installed and inspected in accordance with the manufacturer’s specifications. Operation of the Project shall maintain functionality of these features as required to continue protection from vapor intrusion. Alternatively, if collection and evaluation of additional data, such as statistical evaluation of further soil vapor sampling data throughout the Building 1 footprint or site-specific soil and/or building parameters, demonstrate that concentrations are below soil vapor or ambient air screening levels, such data shall be presented to the City for review and consideration of elimination of the need for the vapor intrusion mitigation system.</p>	Prior to construction	City of Montclair	
<p>MM-HAZ-4: Prior to the issuance of a demolition permit for any existing on-site structure, a qualified environmental specialist shall conduct a survey for PCBs, mercury, and other hazardous building materials (other than asbestos and lead paint) such as universal wastes and refrigerant to document the presence of any potentially hazardous materials within the structures. Any potentially hazardous materials identified as part of this survey shall be handled in accordance with the federal and state hazardous waste and universal waste regulations. Demolition plans and contract specifications would incorporate any necessary materials management measures in compliance with the Metallic Discards Act (Public Resources Code, Section 42160 et seq.), particularly Public Resources Code, Section 42175, Materials Requiring Special Handling, for the removal of mercury switches, PCB-containing ballasts, and refrigerants and the DTSC June 2019 Fact Sheet Guidance on Major Appliances for Scrap Recycling Facilities.</p>	Prior to the issuance of a demolition permit	City of Montclair	
Noise			
<p>MM-NOI-1: Prior to issuance of grading permits, the Project Applicant shall provide a Construction Noise Control Plan (CNCP) to the City for review and approval. The CNCP shall include best management practices to reduce short-term construction noise. Enforcement of the CNCP shall be accomplished by field inspections during construction activities and/or documentation of compliance, to the satisfaction of the City. The CNCP measures shall be incorporated by the City of Montclair as conditions on City-issued permits. Noise reduction best management practices shall include, but not be limited to, the following:</p> <p>a) Prior to Project construction, temporary sound barriers/shielding shall be installed at the western site boundary adjacent to the residential land uses. The construction noise barrier shall be a minimum of 7 feet in height. The barrier may be constructed of 3/4-inch Medium Density Overlay (MDO) plywood sheeting, or other material of equivalent utility having a surface weight of 2 pounds per square foot or greater. Prefabricated acoustic barriers are available from various vendors. When barrier units are joined together, the mating surfaces of the barrier sides should be flush or overlap with one another. Gaps between barrier units, and between the bottom edge of the barrier panels and the ground, should be closed with material that will completely fill the gaps, and be dense enough to attenuate noise.</p> <p>b) All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers consistent with the manufacturers’ specifications and standards.</p>	Prior to issuance of a grading permit	City of Montclair	

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Date of Completion
<p>c) Construction noise reduction methods, such as shutting off idling equipment, maximizing the distance between construction equipment staging areas and occupied sensitive receptor areas, and using electric air compressors and similar power tools rather than diesel equipment, shall be used.</p> <p>d) During construction, stationary equipment should be placed as far away from the adjacent residential property boundary as feasible and positioned such that emitted noise is directed away from or shielded from sensitive receptors. Acoustically attenuating shields, shrouds, or enclosures may be placed over stationary equipment.</p> <p>e) During construction, stockpiling and vehicle staging areas shall be located far from noise-sensitive receptors.</p> <p>The Project shall be in compliance with the City’s Noise Ordinance (Montclair Municipal Code Chapter 6.12): Noise sources associated with construction, repair, remodeling, or grading of any real property are exempt, provided said activities do not take place between the hours of 8:00 p.m. and 7:00 a.m. on any given day and provided that the City Building Official determines that the public health and safety will not be impaired.</p>			
<p>MM-NOI-2: The Project applicant shall notify nearby property owners within 300 feet of the Project site, including residences to the east, south and west, of the construction activities and construction hours proposed to occur on the Project site, as well as provide contact information in the event a property owner or residence has a noise complaint. Additionally, construction hours, allowable workdays, and the phone number of the job superintendent and City code enforcement shall be clearly posted at all construction entrances to allow surrounding property owners and residents to contact the job superintendent. Upon receipt of a complaint, the job superintendent shall respond to the complainant, investigate to ensure a good understanding of the specifics of the complaint, and coordinate with City staff to resolve the issue by ensuring that the measures listed above in MM-NOI-1 are being implemented.</p>	<p>Prior to construction activities</p>	<p>City of Montclair</p>	
Tribal Cultural Resources			
<p>MM-TCR-1: Prior to the issuance of any grading permit for the Project, the City of Montclair (City) shall ensure that the Project Applicant retains the services of a tribal monitor(s) approved by the Gabrieleño Band of Mission Indians Kizh Nation to provide Native American monitoring during ground-disturbing activities. This provision shall be included on the Project contractor’s plans and specifications. Ground-disturbing activities are defined by the Gabrieleño Band of Mission Indians Kizh Nation as activities that may include but are not limited to pavement removal, pot-holing or auguring, grubbing, tree removals, borings, grading, excavation, drilling, and/or trenching within the Project area. The Project site shall be made accessible to the monitor(s), provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance. If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find to recover and/or determine the appropriate plan of recovery for the resource in consultation with a qualified archaeologist. The recovery process shall not unreasonably delay the construction process and must be carried out consistent with CEQA and local regulations. Construction activity shall not be contingent on the presence or availability of a monitor, and construction may proceed regardless of whether or not a monitor is present on site. The monitor shall complete daily monitoring logs that will provide descriptions of the day’s activities and general observations and whether the Native American monitor believes they observed a TCR and what action they took. The on-site monitoring shall end when the Project site grading and excavation activities are completed or prior to the completion if the monitor has indicated that the site has a low potential for tribal cultural resources.</p>	<p>Prior to issuance of a grading permit</p>	<p>City of Montclair</p>	
<p>MM-TCR-2: Upon discovery of any tribal cultural resources, a Native American monitor has the ability to halt construction activities in the immediate vicinity (within 50 feet) of the find until the find can be assessed. All tribal cultural resources unearthed during the Project construction activities shall be evaluated by the Native American monitor approved by the Gabrieleño Band of Mission Indians Kizh Nation and a qualified archaeologist. Construction work shall be permitted to continue on other parts of the Project site while evaluation and, if necessary, additional investigations and/or preservation measures take place (CEQA Guidelines Section 15064.5(f)). If the resources are Native American in origin, the Gabrieleño Band of Mission Indians Kizh Nation tribe shall coordinate with the</p>	<p>Upon discovery of tribal cultural resources</p>	<p>City of Montclair</p>	

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Date of Completion
<p>landowner regarding treatment and curation of these resources. If a resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource,” time allotment and funding sufficient to allow for implementation of avoidance measures shall be made available through coordination between the Gabrieleño Band of Mission Indians Kizh Nation and the Project applicant. The treatment plan established for the resources shall be in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15064.5(f) for historical resources and Public Resources Code (PRC) Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis.</p>			

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Appendix A

Revised Air Quality Calculations

Appendix B

Comment Letters