

Draft Environmental Impact Report
SCH No. 2021070403

Birtcher Logistics Center Rialto
City of Rialto, California

Lead Agency



City of Rialto
150 S. Palm Avenue
Rialto, CA 92376

Public Review Draft | March 2022

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City of Rialto, California**

Lead Agency

City of Rialto
150 S. Palm Avenue
Rialto, CA 92376

CEQA Consultant

T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA 92602

Project Applicant

QR Birtcher Willow Ave. Owner LLC

Lead Agency Discretionary Permits

General Plan Amendment No. 2020-0001
Specific Plan Amendment No. 2020-0001
Conditional Development Permit No. 2020-0006
Precise Plan of Design No. 2020-0012
Variance No. 2020-0001
Lot Merger No. 2021-0002

March 2022



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ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
§	Section
§§	Sections
>	greater than
≥	greater than or equal to
24/7	24 hours per day, 7 days per week
a.m.	Ante Meridiem (between the hours of midnight and noon)
AAC	Approval of Alternative Certification
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
AB 52	Native Americans: California Environmental Quality Act
AB 1493	Pavley Fuel Efficiency Standards
AB 1327	California Solid Waste Reuse and Recycling Act
AB 939	California Solid Waste Integrated Management Act
AB 1881	California Assembly Bill 1881, California Water Conservation Act of 2006
AC	Acres
ACHP	Advisory Council on Historic Preservation
ACM	Alternative Calculation Method
ACMs	Asbestos Containing Materials
ACOE/Corps	Army Corps of Engineers
ACS	American Community Survey
A.D.	Anno Domini
ADP	Area Drainage Plan
ADT	Average Daily Traffic
AERMOD	Air Quality Dispersion Modeling
AFY	Acre Feet per Year
AGE	Advanced GeoEnvironmental
AGI	Anacapa Geoservices, Inc.
AIA	Airport Influence Area
AICUZ	Air Installation Compatible Use Zone
AIRFA	American Indian Religious Freedom Act
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
AMSL	Above Mean Sea Level
ANSI	American National Standards Institute
AOI	area of interest
A-P Act	Alquist-Priolo Earthquake Fault Zoning Act
APS	Alternative Planning Strategy
APN	Assessor Parcel Number



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
AQIA	Air Quality Impact Analysis
AQMP	Air Quality Management Plan
ARB	Air Reserve Base
ASTM	American Society of Testing and Materials
ASTs	Above ground storage tanks
Av.	Avenue
BACM	Best Available Control Measure
BAU	Business as Usual
B.C.	Before Christ
BFSA	Brian F. Smith and Associates
bgs	Below ground surface
Blvd.	Boulevard
BMPs	Best Management Practices
BLM	Bureau of Land Management
BRTR	Biological Resources Technical Report
BSA	Biological Study Area
BRTR	Biological Resources Technical Report
BTEX	group of VOCs, collectively known as BTEX, comprising benzene, toluene, ethylbenzene, and xylene
BTS	backbone transmission system
BTU	British thermal unit
C&D	construction and demolition
C ₂ Cl ₄	perchloroethylene
C ₂ F ₆	Hexafluoroethane
C ₂ H ₆	Ethane
C ₂ H ₄ O	acetaldehyde
C ₄ H ₆	1,3-butadiene
C ₆ H ₆	benzene
CA	California
CA MUTCD	California Manual on Uniform Traffic Control Devices
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
CA H2 Net	California Hydrogen Highway Network
CalEEMod™	California Emissions Estimator Model
CalEnviroScreen	California Communities Environmental Health Screening Tool Version 3.0
CalEPA	California Environmental Protection Agency



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
CalFire	California Department of Forestry and Fire Protection
CALGreen Code	California Green Building Standards Code
Cal/OSHA	California Department of Industrial Relations Division of Occupational Safety and Health
Cal Pub Res. Code §42911	California Solid Waste Reuse and Recycling Act of 1991
Caltrans	California Department of Transportation
Calveno	California Vehicle Noise Emission Level
CAP	Climate Action Plan
CAPP	Community Air Protection Program
CAPCOA	California Air Pollution Control Officers Association
CAPSSA	Criteria Area Plant Species Survey Area
CARB	California Air Resources Board
CAPSA	Criteria Area Plant Survey Area
CARB	California Air Resources Board
CASSA	Criteria Area Species Survey Area
CASP	California Aviation System Plan
CASQUA	California Stormwater Quality Association
CAT	Climate Action Team
CAW	California American Water
CBC	California Building Code
CBSC	California Building Standards Code
CC	Community Center
CCR	California Code of Regulations
CCAA	California Clear Air Act
CDC	California Department of Conservation
CDD	Community Development Director
CDE	California Department of Education
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEPA	California Environmental Protection Agency
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CETAP	Community & Environmental Transportation Acceptability Process
CFC	California Fire Code
CFCs	Chlorofluorocarbons
cf _d	cubic feet per day
C ₂ F ₆	Hexaflouroethane
CF ₄	Tetraflouromethane



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
CF ₃ CH ₂ F	HFC-134a
CFGC	California Fish and Game Code
CFR	Code of Federal Regulations
CFS	Cubic Feet per Second
CGS	California Geologic Survey
CH	Conservation Habitat
C ₂ H ₆	Ethane
CH ₄	Methane
CH ₃ CHF ₂	HFC-152a
CHF ₃	HFC-23
CHHSL	California Human Health Screening Level
CHL	California Historical Landmark
CH ₂ O	formaldehyde
CH ₃ CF ₂	1,1-difluoroethane
CH ₂ FCF	1,1,1,2-tetrafluoroethane
CHF ₃	fluoroform
CHL	California Historical Landmark
CHMIRS	California Hazardous Material Incident Reporting System
CHP	combined heat and power
CHRIS	California Historic Resources Information System
CIWMB	California Integrated Waste Management Board
CIWMP	Riverside Countywide Integrated Waste Management Plan
CLCA	California Land Conservation Act
CLOMR	Conditional Letter of Map Revision
CLUP	Comprehensive Land Use Plan
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CNRA	California Natural Resources Agency
CNUSD	Corona-Norco Unified School District
CO	Carbon Monoxide
COG	Council of Governments
CO ₂	Carbon Dioxide
CO ₂ e	Carbon Dioxide Equivalent
COH	coefficient of haze
COHb	carboxyhemoglobin
COP	Community Oriented Policing Program
COPPS	Community Oriented and Policing Problem Solving Program
Corp.	U.S. Army Corps of Engineers



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
C-P-S	Scenic Highway Commercial
CPUC	California Public Utilities Commission
CR	Commercial Retail
CRA	Cultural Resources Assessment
CREED	Citizens for Responsible Equitable Environmental Development
CRHR	California Register of Historical Resources
CRMP	Cultural Resource Monitoring Program
Cr(VI)	hexavalent chromium
CSS	cross-street stop
CSU	California State University
CSRG	Conservation Summary Report Generator
CSS	cross-street stop
CTA	core transport agent
CTC	California Transportation Commission
CTP	Clean Truck Program
CTR	California Toxics Rule
CUP	Conditional Use Permit
CVIFD	Chino Valley Independent Fire District
CVUSD	Chino Valley Unified School District
CWA	Clean Water Act
CWC	California Water Code
CWHR	California Wildlife Habitat Relationships
CWL	California Watch List
CY	Cubic Yards
CZ	Change of Zone
D	Urban and Built-Up Land
dB	Decibel
dBA	A-weighted Decibels
DBESP	Determination of Biologically Equivalent or Superior Preservation
DC/TP	discover clause/treatment plan
DEH	Department of Environmental Health
DHS	Department of Health Services
DIF	Development Impact Fee
DMV	Department of Motor Vehicles
DOE	Determination of Eligibility
DOF	Department of Finance
DOSH	Division of Occupational Safety and Health
DP	Development Permit
DPM	Diesel Particulate Matter



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
DRC	Design Review Committee
DRRP	Diesel Risk Reduction Plan
DTSC	Department of Toxic Substances Control
DU	Dwelling Unit
DU/AC	Dwelling units per acre
DWR	Department of Water Resources
EA	Existing plus Ambient Growth Conditions (without Project)
EAC	Existing plus Ambient plus Cumulative Conditions (without Project)
EAPC	Existing plus Ambient Growth plus Project Conditions plus Cumulative Conditions
E+A+P+C	Existing plus Ambient Growth plus Project Conditions plus Cumulative Conditions
EAP	Existing plus Ambient Growth plus Project Conditions
E+A+P	Existing plus Ambient Growth plus Project Conditions
EAP II	Energy Action Plan II
EBGMP	Elsinore Basin Groundwater Management Plan
EC	elemental carbon
ECS	Environmental Constraints Sheet
EDR	EDR Sanborn
EIA	Energy Information Administration
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EMFAC	Emission Factor Model
EMWD	Eastern Municipal Water District
e/o	East of
EO	Executive Order
EP	Existing plus Project Conditions
E+P	Existing plus Project Conditions
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-To-Know Act
EPS	Emission Performance Standard
ESA	Environmental Site Assessment
ESFR	Early Suppression, Fast Response (fire sprinkler system)
et seq.	<i>et sequentia</i> , meaning "and the following"
ETW	equivalent test weight
EV	Electric Vehicle
EVMWD	Elsinore Valley Municipal Water District



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
F	Fahrenheit
FAA	Federal Aviation Administration
FAC	Facultative
FACU	Facultative Upland
FACW	Facultative Wetland
FAR	floor area ratio
FAR	Federal Aviation Regulations
FBMSMs	Facility Based Mobile Source Measures
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
FESA	Federal Endangered Species Act
FHA	Federal Housing Administration
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FIA	Fiscal Impact Analysis
FICON	Federal Interagency Committee on Noise
FIMA	Federal Insurance and Mitigation Administration
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FPP	fire protection plan
FTA	Federal Transit Association
FY	Fiscal Year
FYI	For Your Information
G	Grazing Land
Gal	gallon
GBN	ground-based noise
GBV	ground-based vibration
GCC	Global Climate Change
Gg	Gigagrams
GHG	Greenhouse Gas
GIS	Geographic Information System
GISD	Geographic Information Services Database
GgCO ₂ e	Gigagrams of carbon dioxide equivalent
g/L	grams per liter
GLA	Glenn Lukos Associates
GLO	General Land Office
GOBiz	Governor’s Office of Business and Economic Development
GP	General Plan



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
GPA	General Plan Amendment
gpd	Gallons per Day
gpm	Gallons per minute
GPS	Global Positioning System
GSA	Groundwater Sustainability Agencies
GSP	Groundwater Sustainability Plans
GT&S	Gas Transmission and Storage
GVWR	Gross Vehicle Weight Rating
GWh	gigawatt hours
GWP	Global Warming Potential
H ₂ O	Water Vapor
HANS	Habitat Acquisition and Negotiation Strategy
HAPs	hazardous air pollutants
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HCS+	Highway Capacity Software Plus
HDG	HD Geosolutions, Inc.
HDV	Heavy-duty vehicles
HFCs	Hydrofluorocarbons
HET	High-Efficiency Toilet
HHDTs	heavy-heavy duty trucks
HI	Hazard Index
HMBEP	Hazardous Materials Business Emergency Plan
HMC	Hazard Management Consulting
HMMD	Hazardous Materials Management Division
HMMP	Hazardous Materials Management Plan
HMTA	Hazardous Materials Transportation Act
HMTAUSA	Hazardous Materials Transportation Uniform Safety Act
Hp	horsepower
HPLV	High Pressure Low Volume
HR	hour
HRA	Health Risk Assessment
HRI	Historical Resource Inventory
HSC	Health and Safety Code
HSWA	Hazardous and Solid Waste Amendments
HWCL	Hazardous Waste Control Law
HUC	Hydrologic Unit Code
HVAC	Heating, Ventilation, and Air Conditioning
Hz	hertz (cycles per second)



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
I	Interstate
i.e.	that is
IA	Implementing Agreement
IBank	California Infrastructure and Economic Development Bank
IBC	International Building Code
ICAO	International Civil Aviation Organization
ICU	Intersection Capacity utilization
ID	Identification
IE	Infrastructure Element
IEPR	Integrated Energy Policy Report
INCE	Institute of Noise Control Engineering
in/sec	inches per second
IPA	Inland Port Airport
IPCC	Intergovernmental Panel on Climate Change
IRP	Installation Restoration Program
IS	Initial Study
IS	Initial Study
ISO	California Independent Service Operator
ISO	International Organization for Standardization
ISTEA	Intermodal Surface Transportation Efficiency Act
ITE	Institute of Transportation Engineers
ITIP	Interregional Transportation Improvement Plan
ITP	incidental take permit
ITS	intelligent transportation systems
IWMA	Integrated Waste Management Act of 1989
IWMP	Integrated Waste Management Plan
JD	Jurisdictional Delineation
JPA	Joint Powers Authority
JPR	Joint Project Review
kBTU	kilo-British Thermal Units
kg	kilogram
kBTU	kilo-British thermal units
kWh	kilowatt-hour
L	Farmland of Local Importance
LACDPW	Los Angeles County Department of Public Works
LACM	Natural History Museum of Los Angeles County



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
LACSD	Los Angeles County Sanitation District
LACFD	Los Angeles County Fire Department
LACTMA	Los Angeles County Metropolitan Transport Authority
LAFCD	Los Angeles Flood Control District
LAFCO	Local Agency Formation Commission
LARWQCB	Los Angeles Regional Water Quality Control Board
LBP	Lead based paint
lbs	pounds
lbs/day	pounds per day
LBVI	least Bell’s vireo
LCA	Life-cycle analysis
LCD	liquid crystal display
LCFS	low carbon fuel standard
LDA	Light duty autos
LDT1	light duty trucks 1
LDT2	light duty trucks 2
LDV	Light duty vehicles
LED	light-emitting diode
Leq	equivalent continuous sound level
LHD	light-heavy duty trucks
LI	Light Industrial
LID	low impact development
LLWRF	Lee Lake Water Reclamation Facility
Lmax	Maximum level measured over the time interval
Lmin	Maximum level measures over the time interval
LNAP	Lakeview/Nuevo Area Plan
LOMR	Letter of Map Revision
LOS	Level of Service
LRA	local responsibility area
LSA	Lake and Streambed Alteration
LSAA	Lake and Streambed Alteration Agreement
LSE	load-serving entities
LST	localized significance threshold
LSTs	Localized Significance Thresholds
LTOs	Licensed Timber Operators
LULUCF	Land-Use, Land-Use Change and Forestry
LUST	Leaking Underground Storage Tank
Lw	reference sound power level
M ³	Cubic Meter
m-2	heavy manufacturing zone



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
MACT	Maximum achievable control technology
MBTA	Migratory Bird Treaty Act
MC	Municipal Code
MDAQMD	Mojave Desert Air Quality Management District
MDP	Master Drainage Plan
MEISC	maximally exposed individual school child
MEIR	maximally exposed individual receptor
MEIW	maximally exposed individual worker
mg	milligrams
MGD	million gallons per day
MH	medium-heavy duty truck
MHDT	medium-heavy duty truck
MICR	Maximum Individual Cancer Risk
M-M	Manufacturing Medium
MM	Mitigation Measure
MMcfd	million cubic feet per day
MMRP	Mitigation Monitoring and Reporting Program
MMTs	million metric tons
MMTCO _{2e}	million metric tons of carbon dioxide equivalent
MND	Mitigated Negative Declaration
mpg	miles per gallon
Mph	Miles per hour
MPO	Metropolitan Planning Organization
M-R	Mineral Resources
M-R-A	Mineral Resources and Related Manufacturing
MRZ	Mineral Resource Zone
MRZ-3	Mineral Resource Zone 3
MRF	Material Recovery Facility
MS4	Municipal Separate Storm Sewer System
M-SC	Manufacturing-Service Commercial
MSHCP	Multiple Species Habitat Conservation Plan
MT	metric ton
MTCO _{2e}	Metric Tons of Carbon Dioxide Equivalent
MUTCD	Manual on Uniform Traffic Control Devices
MWD	Metropolitan Water District
N/A	Not Applicable
n/o	North of
N ₂	Nitrogen
n.d.	no date



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
NAHC	Native American Heritage Commission
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
NAIOP	Commercial Real Estate Association
NATA	National Air Toxic Assessment
NB	Northbound
NBR	northbound ramp
NCCP	Natural Community Conservation Planning
NCHRP	National Cooperative Highway Research Program
ND	Negative Declaration
NDC	nationally determined contributions
NDCs	nationally determined contributions
NEPSA	Narrow Endemic Plant Survey Area
NEPSSA	Narrow Endemic Plant Species Survey Area
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF ₆	sulfur hexafluoride
NFA	no further action
NFIP	National Flood Insurance Program
NHL	National Historic Landmark
NHP	National Register of Historic Places
NHPA	National Historic Preservation Act
NIOSH	National Institute for Occupational Safety and Health
NMFS	National Marine Fisheries Service
No.	Number
NO	Nitric Oxide
NO ₂	Nitrogen Dioxide
NO _x	Nitrogen Oxides
N ₂	Nitrogen
N ₂ O	Nitrous Oxide
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
n.p.	No page
NPA	No project alternative
NPC	National Park Service
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NPPA	Native Plant Protection Act
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
NRPM	Notice of Proposed Rule Making
NTR	National Toxics Rule
O ₂	Oxygen
O ₃	Ozone
OAG	Office of Attorney General
OD	Officially Designated
OEHHA	Office of Environmental Health Hazard Assessment
OHWM	Ordinary High-Water Mark
OHP	Office of Historic Preservation
OIH	Office of Industrial Hygiene
OPR	Office of Planning and Research
Ord.	Ordinance
OS	Open Space
OS-CH	Open Space-Conservation Habitat
OSHA	Occupational Safety and Health Assessment
P	Prime Farmland
P-WQMP	Project Specific Preliminary Water Quality Management Plan
Pb	Lead
PCBs	Polychlorinated biphenyls
PCEs	Passenger Car Equivalents
pc/mi/ln	passenger cards per mile per lane
PDF	Project Design Feature
PEL	permissible exposure limit
PeMS	Caltrans' Performance System Website
PF	Public Facilities land use designation
PFCs	Perfluorocarbons
PG&E	Pacific Gas and Electric
PHF	peak hour factor
PHI	Points of Interest
P-I	Public Institutional land use designation
p.m.	Post Meridiem (between the hours of noon and midnight)
PM	post meridiem (between the hours of noon and midnight)
PM	Particulate Matter
PM _{2.5}	Fine Particulate Matter (2.5 microns or smaller)
PM ₁₀	Fine Particulate Matter (10 microns or smaller)
Porter-Cologne	Porter-Cologne Water Quality Control Act
POU	publicly owned utilities



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
ppb	parts per billion
ppm	parts per million
pp.	pages
ppt	parts per trillion
PPV	peak particle velocity
PRC	Professional Regulation Commission
PRC	Public Resources Code
PRIMP	Paleontological Resource Impact Mitigation Program
PRPA	Paleontological Resources Preservation Act
PSE	Public Safety Element
PQP	Public/Quasi-Public
PV	photovoltaic
RBBD	Road and Bridge Benefit District
RCA	Regional Conservation Authority
RCA	Regional Conservation Authority
RCDEH	Riverside County Department of Environmental Health
RCDWR	Riverside County Department of Waste Resources
RCFCWCD	Riverside County Flood Control and Water Conservation District
RCFD	Riverside County Fire Department
RCIT	Riverside County Information Technology
RCP	Reinforced Concrete Pipe
RCP	Regional Comprehensive Plan
RCPG	The SCAG Regional Comprehensive Plan and Guide
RCLS	Riverside County Library System
RCNM	Roadway Construction Noise Model
RCRA	Resource Conservation and Recovery Act
RCSD	Riverside County Sheriff's Department
RCTC	Riverside County Transportation Commission
Rd.	Road
REC	Recognized environmental Concerns
RECLAIM	Regional Clean Air Incentives Market
REL	Reference Exposure Level
REMEL	Reference Mean Emission Level
RGA	Recovered Government Archive
RHA	Rivers and Harbor Act of 1899
RHNA	The SCAG Regional Housing Needs Assessment
RIVTAM	Riverside Transportation Analysis Model
RIX	Rapid Infiltration Extraction
RM	room(s)



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
RME	resource management element
RMM	Riverside Municipal Museum
RMP	Resource Management Plan
RMS	root mean square
ROG	reactive organic gases
ROGs	Reactive Organic Gasses
ROW	Right of Way
RPS	Renewable Portfolio Standards
RPW	Relative Permanent Water
RPZ	Runway Protection Zone
RTA	Riverside Transit Authority
RTIP	regional transportation improvement plan
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agency
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RV	Recreational Vehicle
RWQCB	Regional Water Quality Control Board
S	Farmland of Statewide Importance
SAA	Streambed Alteration Agreement
SARA	Superfund Amendments and Reauthorization Act
SAWPA	Santa Ana Watershed Project Authority
SB18	Bill of Rights for Children and Youth of California
SB	Southbound
SB	Senate Bill
SB 375	California Senate Bill 375, Sustainable Communities and Climate Protection Act of 2008
SB 1000	California Senate Bill 1000, Environmental Justice in Local Land Use Planning of 2016
SBCM	San Bernardino County Museum
SBL/T	southbound left turn
SBR	southbound ramp
SCAB	South Coast Air Basin
SCAG	Sothern California Association of Governments
SCAQMD	Southern Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCH	California State Clearinghouse (Office of Planning and Research)
SCS	Sustainable Communities Strategy
SCWR	Southern Cottonwood Willow Riparian



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
SDWA	Safe Drinking Water Act
SF ₆	Sulfur Hexafluoride
s.f.	square-foot, square foot, square footage, or square feet
SF/s.f.	square foot or square feet
SFP	School Facilities Program
SFP	State fully protected
SGC	Strategic Growth Council
SGMA	Sustainable groundwater management act
SHA	Safe Harbor Agreement
SHMA	Seismic Hazards Mapping Act
SHPOs	State Historic Preservation Officers
SHRC	State Historical Resources Commission
SHS	State Highway System
SIP	State Implementation Plan
SKR	Stephens' Kangaroo Rat
SLCP	Short-Lived Climate Pollutants
SLF	Sacred Lands File
SLPS	Short-Lived Climate Pollutant Strategy
SMARA	Surface Mining Reclamation Act
SMP	soil management plan
SNUR	Significant New Use Rule
s/o	south of
SO ₂	Sulfur Dioxide
SO ₄	Sulfates
SO _x	Sulfur Oxides
SOC	Statement of Overriding Considerations
SoCal	Southern California
SoCal Gas	Southern California Gas Company
SOI	Sphere of Influence
SP	Specific Plan
SPA	Specific Plan Amendment
SPT	Standard Penetration Test
SQG	small quantity generator
SR	State Route
SRA	Source Receptor Area
SRA	State responsibility area
SRRE	Source Reduction and Recycling Element
SSC	Species of Special Concern
St.	Street
STC	Sound Transmission Class



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
STIP	Statewide Transportation Improvement Plan
STU	students
SURRGO	Soil Survey Geographic
SUSMP	Standard Urban Stormwater Management Plan
SWANCC	Solid Waste Agency of Northern Cook County vs. USACE
SWFF	Southwestern willow flycatcher
SWH	solar water heaters
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Regional Control Board
TA	Transportation Analysis
TAC	Toxic Air Contaminants
TAZ	traffic analysis zone
TBD	To be determined
TCAP	Temescal Canyon Area Plan
TDA	Transportation Development Act
TEA-21	Transportation Equality Act for 21 st Century
THP	Timber Harvesting Plan
TIA	Traffic Impact Analysis
TNW	Traditional Navigable Water
TPA	Transit Priority Area
TPD	tons per day
TPM	Tentative Parcel Map
TRUs	Transportation Refrigeration Units
tpy	tons per year
TS	Traffic Signal
TSCA	Toxic Substances Control Act
TSCEA	Toxic Substance Control Act
TSF	Thousand Square Feet
TTM	Tentative Tract Map
TUMF	Transportation Uniform Mitigation Fee
TVWD	Temescal Valley Water District
U	Unique Farmland
µg	microgram
UBC	Uniform Building Code
UCR	University of California Riverside
UNFCCC	United Nations' Framework Convention on Climate Change
URBEMIS	URBAn EMISsions
U.S.	United States



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
USACE	United States Army Corps of Engineers
U.S.C.	United States Code
USCB	United States Census Bureau
USDA	U.S. Department of Agriculture
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Society
USTs	Underground storage tanks
UWMP	Urban Water Management Plan
V/C	Volume to Capacity Ratio
VdB	vibration decibel notation
VFP	Vehicle Fueling Positions
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VOCs	Volatile Organic Compounds
VPH	Vehicles per Hour
w/	with
WDR	Water discharge report
WDRs	Waste Discharge Requirements
WMI	Watershed Management Initiative
WMIE	Waste Management of the Inland Empire
WMWD	Western Municipal Water District
w/o	West of
WoUS	Waters of the United States
WoS	Waters of the State
WQC	Water Quality Certification Program
WQMP	Water Quality Management Plan
WRCOG	Western Riverside Council of Governments
WRF	Water Reclamation Facility
WRI	World Resources Institute
WRP	Water Reclamation Plan
WRRRA	Water Reuse and Recycle Act
WSA	Water Supply Assessment
WUI	wildland-urban interface
X	Other Land
YBP	Years before Present



ACRONYMS AND ABBREVIATIONS

<u>Acronym/Abbreviation</u>	<u>Definition</u>
Yr	year
ZC	Zone change
ZORI	Zones of Required Investigation



S.0 EXECUTIVE SUMMARY

S.1 INTRODUCTION

The California Environmental Quality Act (CEQA) as codified in Public Resources Code Section 21000, *et seq.* requires that before a public agency makes a decision to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the project’s potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment.

This Environmental Impact Report (EIR) (California State Clearinghouse (SCH) No. 2020039038), was prepared in accordance with CEQA Guidelines Article 9, Sections 15120-15132 to evaluate the potential environmental impacts associated with planning, constructing, and operating the proposed Birtcher Logistics Center Rialto Project (hereafter, the “Project” or “proposed Project”). This EIR does not recommend approval or denial of the proposed Project; rather, this EIR is a source of factual information regarding potential impacts to the physical environment that may result from the Project’s implementation. The Draft EIR will be available for public review for a minimum period of 45 days. After consideration of public comment, the City of Rialto (“City”) will consider certifying the Final EIR and adopting required findings.

The City’s preliminary analysis determined that implementation of the Project would have the potential to result in significant environmental impacts under 13 environmental topic areas. This determination was based on the completion of an Initial Study that represented the City’s independent judgment pursuant to CEQA Guidelines Section 15063, and in consideration of public comment received by the City in response to this EIR’s Notice of Preparation (NOP). The Initial Study, NOP, and written comments received by the City in response to the NOP, are attached to this EIR as *Technical Appendix A*. The 13 environmental topic areas that have the potential to be significantly affected by planning, constructing, and/or operating the proposed Project and that are analyzed in detail herein include:

- | | |
|----------------------------------|---------------------------------|
| 1) Aesthetics | 8) Hydrology & Water Quality |
| 2) Air Quality | 9) Land Use & Planning |
| 3) Cultural Resources | 10) Noise |
| 4) Energy | 11) Transportation |
| 5) Geology & Soils | 12) Tribal Cultural Resources |
| 6) Greenhouse Gas Emissions | 13) Utilities & Service Systems |
| 7) Hazards & Hazardous Materials | |

Refer to EIR Section 4.0, *Environmental Analysis*, for a full account and analysis of the subject matters listed above. Subject areas for which the Initial Study concluded that impacts would be clearly less than significant and that do not warrant detailed analysis in this EIR are addressed in EIR Section 5.0, *Other CEQA Considerations*. For each of the aforementioned subject areas, this EIR describes: 1) the physical conditions that existed at the approximate time this EIR’s NOP was published (July 23, 2021); 2) discloses the type and magnitude of potential environmental impacts resulting from Project planning, construction, and operation; and 3) if warranted, recommends feasible mitigation measures that would reduce or avoid significant adverse environmental impacts that may result from the Project. A summary of the Project’s significant environmental



impacts and the mitigation measures imposed by the City to lessen or avoid these impacts is included in this Executive Summary as Table S-1, *Mitigation Monitoring and Reporting Program* (MMRP). The City applies mitigation measures that it determines 1) are feasible and practical for project applicants to implement, 2) are feasible and practical for the City to monitor and enforce, 3) are legal for the City to impose, 4) have an essential nexus to the Project's impacts, and 4) would result in a benefit to the physical environment. CEQA does not require the Lead Agency to impose mitigation measures that are duplicative of mandatory regulatory requirements.

S.2 PROJECT OVERVIEW

S.2.1 LOCATION AND SETTING

The Project Site is located in the southeastern portion of the City of Rialto, San Bernardino County, California. The City is located east of the City of Fontana and the unincorporated community of Bloomington, west of the Cities of San Bernardino and Colton, northwest of the City of Grand Terrace and unincorporated community of Highgrove, and north of the City of Riverside. The Project Site is located approximately 0.3-mile northwest of the Riverside Avenue on/off ramp to Interstate 10 (I-10) and approximately 4.3 miles west of the I-10 merge with Interstate 215 (I-215). The Project Site's location and regional context are shown on Figure 3-1, *Regional Map*, in EIR Section 3.0, *Project Description*.

At the local scale, the Project Site is located in the northwest corner of the intersection of Valley Boulevard and Willow Avenue as illustrated on Figure 3-2, *Vicinity Map*, and Figure 3-3, *USGS Topographic Map*.

S.2.2 PROJECT SUMMARY

For purposes of this EIR, the term "Project" refers to the discretionary actions required to implement the proposed Birtcher Logistics Center Rialto Project and all of the activities associated with its implementation (including planning, construction, and ongoing operation). The Project would result in the construction and operation of a 492,410 square-foot, modern warehouse building on an approximately 21.0-acre property. The Project also includes associated site improvements, including drive aisles, landscaping, utility infrastructure, exterior lighting, walls/fencing, and signage. The principal discretionary actions requested by the Project Applicant to implement the proposed Project include a General Plan Amendment (GPA No. 2020-0001), Specific Plan Amendment (SPA No. 2020-0001), Conditional Development Permit (CDP No. 2020-0006), Precise Plan of Design (PPD No. 2020-0012), Variance (VAR No. 2020-0001), and Lot Merger No. 2021-0002. Refer to EIR Section 3.0, *Project Description*, for a detailed description of the Project.

S.2.3 PROJECT OBJECTIVES

The fundamental purpose and goal of the Birtcher Logistics Center Rialto Project is to develop a modern warehouse distribution building in the City in close proximity to the State highway system, to increase employment opportunities and improve the City's economic competitiveness. This underlying purpose aligns with various aspects of the Southern California Association of Governments' (SCAG's) *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*, primarily related to accommodating goods movement industries and balancing job and housing opportunities in local areas to reduce long commutes from home to work. SCAG identifies the Inland Empire as a housing rich area and coastal communities as job rich



areas and is striving in their policies to achieve more equal balances locally. The Project would achieve its underlying purpose and goal through the following objectives.

- A. To expand economic development, facilitate job creation, and increase the tax base for the City of Rialto by establishing new industrial development adjacent to established and planned industrial areas.
- B. To attract employment-generating businesses to the City of Rialto which will reduce the need for members of the local workforce to commute outside the area for employment, thereby improving the jobs-housing balance in the City.
- C. To develop a Class A warehouse distribution building that is designed to meet contemporary industry standards and be economically competitive with similar industrial buildings in the local area and region.
- D. To attract businesses that can expedite the delivery of essential goods to consumers and businesses in the City of Rialto and beyond.
- E. To develop a project that has architectural design and operational characteristics that complement existing nearby land uses.
- F. To develop a warehouse distribution building in close proximity to designated truck routes and the State highway system to avoid or shorten truck-trip lengths on other roadways.
- G. To redevelop an underutilized property that has access to available infrastructure, including roads and utilities.

S.3 EIR PROCESS

An Initial Study was prepared by the City to determine whether any aspect of the Project, either individually or cumulatively, may cause a significant adverse effect on the physical environment (refer to *Technical Appendix A* for a copy of the Initial Study). For this Project, the Initial Study indicated that this EIR should focus on 13 environmental subject areas listed above in Subsection S.1. After completion of the Initial Study, dated July 21, 2021, the City published a NOP and filed a copy with the California Office of Planning and Research State Clearinghouse (State Clearinghouse) to inform the general public, trustee and responsible agencies and other interested parties that an EIR would be prepared for the Project. The Initial Study and NOP were distributed for a 30-day public review period, which began on July 23, 2021. The City received written comments on the scope of the EIR during those 30 days, which were considered by the City during the preparation of this EIR. The City also held an EIR scoping meeting open to the interested public agencies and members of the general public on August 12, 2021.

This EIR will be circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day review period. During the 45-day public review period, public notices announcing availability of the Draft EIR will be mailed to interested parties, an advertisement will be published in the Press Enterprise (a newspaper of general circulation in the City), and copies of the Draft EIR and its Technical Appendices will be available for review at the locations indicated in the public notices.

After the close of the 45-day Draft EIR public comment period, the City will prepare and publish responses to written comments it received on the environmental effects of the Project. Thereafter, the Final EIR will be



considered for certification by the Rialto City Council. Certification of the Final EIR would be accompanied by the adoption of written findings and a “Statement of Overriding Considerations” for any significant unavoidable environmental impacts identified in the Final EIR. In addition, pursuant to Public Resources Code Section 21081.6, because the Project will include mitigation measures, the City, as Lead Agency, must adopt a MMRP, which describes the process to ensure implementation of the mitigation measures identified in the Final EIR. The MMRP will ensure CEQA compliance during Project construction and operation.

S.4 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

CEQA Guidelines Section 15123(b)(2) requires the Lead Agency (City of Rialto) to identify any known issues of controversy in the Executive Summary. Although the City has received letters of opposition to the Project, after consideration of all comments received in response to the NOP, the City has not identified any environmental issues of controversy associated with the Project that were not already identified in the Initial Study for the Project. Notwithstanding, the Lead Agency has identified several issues of local concern including, but not limited to, potential impacts to air quality and hazardous materials and these issues are all addressed in this EIR.

In light of the foregoing, this EIR addresses all environmental issues that are known by the City, that are identified in the Project’s Initial Study, and that were identified in the comment letters that the City received in response to the NOP (refer to *Technical Appendix A*) and the EIR scoping meeting. Items raised in written comment to the NOP are summarized in Table 1-1, *Summary of NOP and Scoping Meeting Comments*, in Section 1.0 of this EIR.

S.5 ALTERNATIVES TO THE PROPOSED PROJECT

In compliance with CEQA Guidelines Section 15126.6, an EIR must describe a range of reasonable alternatives to the Project. A brief description of alternatives considered in this EIR is provided below; however, a detailed description of each alternative evaluated in this EIR, as well as an analysis of the potential environmental impacts associated with each alternative, is provided in EIR Section 6.0, *Alternatives*. Also described in Section 6.0 is a list of alternatives that were considered but rejected from further analysis.

S.5.1 NO DEVELOPMENT ALTERNATIVE

The No Development Alternative considers no development on the Project Site beyond what occurs on the Site under existing conditions. Under this Alternative, the outdoor storage lot for trailers, construction equipment, and construction materials, and several structures and outbuilding used for storage and offices would remain on the Project Site for the foreseeable future. This Alternative was used to compare the environmental effects of the proposed Project with an alternative that would leave the property in its existing state.

Implementation of the No Development Alternative would result in no physical environmental impacts to the Project Site beyond those that have historically occurred on the property. Although all significant effects of the Project would be avoided by the selection of this Alternative, this No Development Alternative would fail to meet any of the Project’s objectives.



S.5.2 GATEWAY SPECIFIC PLAN ALTERNATIVE

The Gateway Specific Plan Alternative considers redevelopment of the Project Site in accordance with the site’s existing land use designations under the Gateway Specific Plan. The approximately 8.5 acres of the Site that abut Valley Boulevard would be developed with “F-C” land uses and the approximately 12.5 acres that comprise the northern portion of the Site would be developed with “Industrial Park” land uses. The Gateway Specific Plan allows a variety of commercial land uses developed at a maximum FAR of 0.5 within “F-C” areas. Within “I-P” areas, the Gateway Specific Plan allows a variety of light industrial land uses at a maximum FAR of 1.0. For purposes of analysis, this Alternative would provide for the development of an approximately 150,000 square-foot (s.f.) shopping center offering retail stores, commercial services, and restaurants/cafes on the southern portion of the Project Site. Additionally, an approximately 290,000 s.f. warehouse distribution facility would be constructed on the northern portion of the Project Site. This Alternative was used to compare the environmental effects of the Project against a development proposal that conforms to the land use standards and development regulations prescribed by the City of Rialto’s General Plan and the Gateway Specific Plan.

The Gateway Specific Plan Alternative would not reduce, but would likely increase the Project’s significant and unavoidable impacts to air quality, GHG emissions, and transportation. The Gateway Specific Plan Alternative would increase the Project’s less than significant impacts to energy, off-site traffic noise, and utilities and service systems, although in all instances impacts are expected to remain less than significant. The Gateway Specific Plan Alternative would result in similar impacts as the Project to aesthetics, cultural resources, hazards and hazardous materials, and tribal cultural resources. The Gateway Specific Plan Alternative would reduce the Project’s less-than-significant impacts to land use and planning.

The Gateway Specific Plan Alternative would potentially meet Objectives “A,” “C,” “D,” and “F” but would be less effective at achieving these objectives than the Project. The smaller warehouse building proposed by this Alternative would be marketable to a smaller subset of users than the larger warehouse building proposed by the Project. Therefore, this building would be less effective at meeting the market demand for goods movement in the Inland Empire compared to the larger warehouse proposed by the Project. The Gateway Specific Plan Alternative would meet Objectives “B,” “E,” and “G.”

S.5.3 REDUCED BUILDING AREA ALTERNATIVE

The Reduced Building Area Alternative considers a proposal where the Project Site would be redeveloped with two separate uses: a warehouse distribution building and an outdoor industrial storage area. Under this Alternative, an approximately 325,000 s.f. warehouse distribution building would be developed on the southern portion of the Project Site and an approximately 7-acre outdoor industrial storage area would be developed on the northern portion of the Project Site. This Alternative was used to evaluate a scenario that would reduce the total building area on the Project Site but still allow productive industrial use of the entire Project Site.

The Reduced Building Area Alternative would incrementally reduce – but not avoid – the Project’s significant and unavoidable air quality and GHG emission impacts. The Reduced Building Alternative would reduce the Project’s less-than-significant impacts to energy and utilities and service systems. All other impacts from the Reduced Building Alternative would be similar to the Project.



The Reduced Building Area Alternative would meet all Project Objectives but would be less effective than the Project at meeting Objectives “A,” “B,” “C,” “D,” “F,” and “G” due to this Alternative’s substantial reduction in the development of an in-demand, employment generating land use on the Project Site.

S.5.4 FLEX BUILDING ALTERNATIVE

The Flex Building Alternative considers a proposal where the Project Site would be redeveloped with multiple flexible (“flex”) industrial buildings ranging from 10,000 s.f. to 35,000 s.f. Approximately 320,000 s.f. of total building area would be provided on the Project Site under the Flex Building Alternative. Flex buildings allow a wide range of industrial uses, such as small-scale workshops and light manufacturing, that also feature office and warehouse components. Also, flex buildings typically have loading areas comprised of only a few ground-level, roll-up doors in-lieu of numerous dock-high doors found at larger industrial buildings. This Alternative was used to evaluate a scenario that would develop the Project Site with industrial land uses that are less reliant on heavy truck activity.

The Flex Building Alternative would increase the Project’s utilities and service systems impact (although this impact would remain less than significant), and air quality impacts. All other impacts would be similar to the Project.

The Flex Building Alternative would not meet Project Objectives “C,” “D,” or “F” because it does not include a warehouse use and, thus, would not provide a use that contributes to the southern California goods movement system. The Flex Building Alternative would meet all of the Project’s other objectives.

S.6 SUMMARY OF IMPACTS, MITIGATION MEASURES, AND CONCLUSIONS

S.6.1 EFFECTS FOUND NOT TO BE SIGNIFICANT

The scope of detailed analysis in this EIR considers and addresses the 13 subject areas identified in the Initial Study prepared under the supervision of the City of Rialto pursuant to CEQA Guidelines Section 15063 and Public Resources Code Section 21002(e), as well as the public comments received in response to the NOP and the EIR scoping meeting. The Initial Study, NOP, and public comments received in response to the NOP and scoping meeting, are attached to this EIR as *Technical Appendix A*. Subject areas for which the City concluded that impacts clearly would be less than significant and that do not warrant detailed analysis in this EIR include: agriculture and forest resources, biological resources, mineral resources, population and housing, public services, recreation, and wildfire. This EIR addresses these seven topics in EIR Subsection 5.0, *Other CEQA Considerations*.

S.6.2 IMPACTS OF THE PROPOSED PROJECT

Table S-1 provides a summary of the Project’s environmental impacts, as required by CEQA Guidelines Section 15123(a). Also presented are the mitigation measures recommended by the Lead Agency to further avoid adverse environmental impacts or to reduce their level of significance. After the application of all feasible mitigation measures, the Project would result in four significant and unavoidable environmental effects, as summarized below.



- Air Quality Management Plan Conflict: The Project would emit air pollutants (nitrogen oxides [NO_x]) that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB. Because the Project requires a General Plan Amendment, it also would exceed the growth projections contained in South Coast Air Quality Management District's (SCAQMD) *2016 Air Quality Management Plan* (AQMP). As such, the Project would conflict with and could obstruct implementation of the AQMP. Project impacts due to a conflict with the SCAQMD *2016 AQMP* would be significant and unavoidable on both a direct and cumulatively-considerable basis. (Refer to EIR Subsection 4.2, *Air Quality*.)
- Criteria Pollutant Emissions: After the application of Project design features, mandatory regulatory requirements, and feasible mitigation measures, Project-related NO_x emissions during long-term operation of the Project would remain above the applicable SCAQMD regional thresholds. Accordingly, Project-related emissions would not meet SCAQMD air quality standards and contribute to the non-attainment of ozone standards in the South Coast Air Basin(SCAB). Therefore, Project operational-related impacts due to NO_x emissions would be significant and unavoidable on a direct and cumulatively-considerable basis. (Refer to EIR Subsection 4.2, *Air Quality*.)
- GHG Emissions Generation: After the application of Project design features, mandatory regulatory requirements, and feasible mitigation measures, Project-related GHG emissions would exceed the applicable SCAQMD significance threshold for GHG emissions and would result in a cumulatively-considerable impact to the environment. (Refer to EIR Subsection 4.6, *Greenhouse Gas Emissions*.)
- VMT Impact: Project-generated total vehicle miles traveled (VMT), which is inclusive of VMT from home-based work trips plus heavy truck trips, would exceed the regional baseline threshold for VMT and would be significant and unavoidable on a direct and cumulatively-considerable basis. (Refer to EIR Subsection 4.11, *Transportation*.)



Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
4.1 Aesthetics					
Summary of Impacts					
<u>Threshold a: Less Than Significant Impact.</u> The Project would not substantially affect a scenic vista. The Project Site does not contain any designated scenic vistas or scenic corridors. The Project would not substantially affect views of the San Gabriel Mountains, San Bernardino Mountains, or the Jurupa Hills from nearby public viewing areas; views of these landforms would remain visible from public viewing areas after implementation of the Project	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold b: No Impact.</u> The Project Site is not located within the viewshed of a scenic highway and, therefore, the Project Site does not contain any scenic resources visible from a scenic highway.	No mitigation is required.	N/A	N/A	N/A	No Impact
<u>Threshold c: Less Than Significant Impact.</u> The Project would not substantially degrade the existing visual character or quality of the site or its surrounding areas during Project construction or operation. Furthermore, the Project proposes a number of site design, architectural, and landscaping elements consistent with the requirements of the City's amended Gateway Specific Plan.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold "d:" Less-than-Significant Impact.</u> Project-related development would not create substantial light or glare. Compliance with Rialto Municipal Code requirements for lighting would ensure less-than-significant impacts associated with light and glare affecting day or nighttime views in the area from on-site lighting elements.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.2 Air Quality					
Summary of Impacts					
<u>Threshold "a:" Less-than-Significant Impact with Mitigation (Construction).</u> The Project would exceed the growth projections contained in SCAQMD's 2016 AQMP and, also, would emit air pollutants that would	MM 4.2-1 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 403, "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction activities that	Project Applicant; Project Construction Contractors	City of Rialto Building and Safety Division, and Land Development Division	Prior to grading permit issuance and on-going during construction	Less-than-Significant Impact after Mitigation



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
<p>contribute to a delay in the attainment of federal and State ozone standards in the SCAB.</p>	<p>generate fugitive dust, such as earth moving, grading, and equipment travel on unpaved roads. Rule 403 also requires activities defined as “large operations” to notify the SCAQMD by submitting specific forms. The following notes shall be listed on the Project’s grading plans, to be confirmed by the City of Rialto prior to grading permit issuance. Project construction contractors shall be required by their contracts to ensure compliance with the notes, submit any required “large operations” forms to the SCAQMD, and permit periodic inspection of the construction site by City of Rialto staff or its designee to confirm compliance.</p> <p>a) During grading and ground-disturbing construction activities, the construction contractor shall ensure that all unpaved roads, active soil stockpiles, and areas undergoing active ground disturbance within the Project Site are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas by water truck, sprinkler system, or other comparable means, shall occur in the mid-morning, afternoon, and after work is done for the day. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off-site.</p> <p>b) Temporary signs shall be installed on the construction site along all unpaved roads indicating a maximum speed limit of 15 miles per hour (MPH). The signs shall be installed before construction activities commence and remain in place for the duration of construction activities that include vehicle activities on unpaved roads.</p> <p>c) Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.</p> <p>d) Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (e.g., install wheel shakers, wheel washers, limit site access).</p>				



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	<p>e) When materials are transported off-site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.</p> <p>f) All street frontages adjacent to the construction site shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing water trucks (reclaimed water, if available) if visible soil materials are carried to adjacent streets.</p> <p>g) Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and initiate corrective action to legitimate complaints within 24 hours.</p> <p>h) Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.</p> <p>i) Any on-site stock piles of debris, dirt, or other dusty material shall be covered or watered as necessary to minimize fugitive dust pursuant to SCAQMD Rule 403.</p> <p>j) A high wind response plan shall be formulated and implemented for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.</p>				
	<p>MM 4.2-2 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 1186 “PM₁₀ Emissions from Paved and Unpaved Roads and Livestock Operations” and Rule 1186.1, “Less-Polluting Street Sweepers” by complying with the following requirements. To ensure and enforce compliance with these requirements, prior to grading and building permit issuance, the City of Rialto shall verify that the following notes are included on the grading and building plans and within the construction management plan. Project construction contractors shall be required to ensure compliance with the</p>	<p>Project Applicant; Project Construction Contractors</p>	<p>City of Rialto Building and Safety Division and Land Development Division</p>	<p>Prior to grading and building permit issuance and on-going during construction</p>	



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	<p>notes and permit periodic inspection of the construction site by City of Rialto staff or its designee to confirm compliance.</p> <p>a) If visible dirt or accumulated dust is carried onto paved roads during construction, the contractor shall remove such dirt and dust at the end of each work day by street cleaning.</p> <p>b) Street sweepers shall be certified by the South Coast Air Quality Management District as meeting the Rule 1186 sweeper certification procedures and requirements for PM10-efficient sweepers. All street sweepers having a gross vehicle weight of 14,000 pounds or more shall be powered with alternative (non-diesel) fuel or otherwise comply with South Coast Air Quality Management District Rule 1186.1.</p>				
	<p>MM 4.2-3 Project construction contractors shall assure that construction equipment greater than 150 horsepower achieves or is equivalent to Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 emissions standards. Also, Project construction contractors shall tune and maintain all construction equipment in accordance with the equipment manufacturer’s recommended maintenance schedule and specifications. Maintenance records for all pieces of equipment shall be kept on-site for the duration of construction activities and shall be made available for periodic inspection by City of Rialto staff or their designee.</p>	Project Construction Contractors	City of Rialto Building and Safety Division and Land Development Division	Prior to the issuance of a grading permit and on-going during construction	
<p><u>Threshold “a:” Significant and Unavoidable Direct and Cumulatively-Considerable Impact (Operation).</u> The Project would exceed the growth projections contained in SCAQMD’s 2016 AQMP and, also, would emit air pollutants that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB.</p>	<p>MM 4.2-4 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use for more than five (5) minutes; and 2) instructions for drivers of diesel trucks to restrict</p>	Project Applicant	City of Rialto Planning Division, Building and Safety Division, and Land Development Division	Prior to the issuance of a occupancy permit	Significant and Unavoidable Direct and Cumulatively-Considerable Impact



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	<p>idling to no more than five (5) minutes once the vehicle is stopped, the transmission is set to “neutral” or “park,” and the parking brake is engaged. Prior to the issuance of an occupancy permit, the City of Rialto shall conduct a site inspection to ensure that the signs are in place.</p> <p>MM 4.2-5 Prior to building permit issuance, the City of Rialto shall ensure that the parking lot striping and security gating plan allows for adequate truck stacking at gates to prevent queuing of trucks outside the property.</p> <p>MM 4.2-6 Prior to the issuance of a building permit, the Project Applicant or successor in interest shall provide documentation to the City of Rialto demonstrating that the Project is designed to include the energy efficiency design features listed below at a minimum.</p> <ul style="list-style-type: none"> a) Preferential parking locations for carpool, vanpool, EVs and CNG vehicles; b) Secure, weather protected bicycle parking; c) Installation of the minimum number of passenger vehicle EV charging stations required by Title 24 and the installation of conduit at a minimum of five (5) percent of the Project’s total number of automobile parking spaces to accommodate the future, optional installation of EV charging infrastructure; d) The building’s roof shall be designed and constructed to accommodate the potential, future construction of maximally-sized photovoltaic (PV) solar arrays taking into consideration limitations imposed by other rooftop equipment, roof warranties, building and fire code requirements, and other physical or legal limitations. The building shall include an electrical system and other infrastructure sufficiently-sized to accommodate the potential installation of maximally-sized PV arrays in the future. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage which 	<p>Project Applicant</p> <p>Project Applicant or successor in interest</p>	<p>City of Rialto Planning Division, Building and Safety Division, and Land Development Division</p> <p>City of Rialto Planning Division and Building and Safety Division</p>	<p>Prior to the issuance of a building permit</p> <p>Prior to the issuance of a building permit</p>	



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	<p>informs future occupants/owners of the existence of this infrastructure;</p> <p>e) The building’s electrical room shall be sufficiently sized so that additional panels can be added in the future, if needed, to supply power for the future installation of EV truck charging stations on the site.</p> <p>f) The building’s electrical room shall be sufficiently sized so that additional panels can be added in the future, if needed, to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods.</p> <p>g) Outdoor electrical outlets are provided in reasonable locations to maximize the opportunities to use electric-powered landscape maintenance equipment.</p> <p>h) Use of light-colored paving materials in the passenger vehicle parking areas, drive aisles, and/or truck court;</p> <p>i) Use of light-colored roofing materials;</p> <p>j) Use of solar or light-emitting diode (LED) fixtures for outdoor lighting;</p> <p>k) All heating, cooling, and lighting devices and appliances shall be Energy Star certified; and</p> <p>l) All fixtures installed in restrooms and employee break areas shall be U.S. EPA Certified WaterSense or equivalent.</p> <p>MM 4.2-7 Prior to issuance of occupancy permits, the Project Applicant or successor in interest shall provide the City of Rialto with an information packet that will be provided to future building occupants that: 1) provides information regarding the grants available from the Carl Moyer Memorial Air Quality Standards Attainment Program for energy efficiency improvement features – including truck modernization, retrofits, and/or aerodynamic kits and low rolling resistance tires – and the resulting benefits to air quality; 2) recommends the use of electric or alternatively-fueled sweepers with HEPA filters; 3) recommends the use of water-based or low VOC cleaning and 4) for occupants with more than 250 employees, information related</p>	<p>Project site owner or occupant</p>	<p>City of Rialto Planning Division and Building and Safety Division</p>	<p>Prior to issuance of occupancy permit</p>	



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	<p>to SCAQMD Rule 2202, which requires the establishment of a transportation demand management program to reduce employee commute vehicle emissions.</p> <p>MM 4.2-8 Prior to the issuance of occupancy permits, the Project Applicant or successor in interest shall provide the City of Rialto with an information packet that will be provided to future building occupants regarding EPA Smartway features that are required to be incorporated into haul trucks, as required by CARB. Also, Project operators shall maintain a daily log of incoming and outgoing haul trucks that are fitted with the combination of aerodynamic kits and low rolling resistance tires to reduce fuel consumption.</p> <p>MM 4.2-9 Prior to issuance of occupancy permits, the Project Applicant or successor in interest shall establish a Transportation Management Association (TMA) or similar mechanism, or partner with an already established TMA to encourage and coordinate carpooling. The TMA shall advertise its services to the building occupants and offer transit incentives to employees and provide shuttle service to and from public transit, should a minimum of five employees request and use such service from a transit stop at the same drop-off and/or pickup time. The TMA shall distribute public transportation to its employees and provide electronic message board space for coordination rides.</p>	<p>Project site owner or occupant</p> <p>Project site owner or occupant</p>	<p>City of Rialto Planning Division and Building and Safety Division</p> <p>City of Rialto Planning Division and Building and Safety Division</p>	<p>Prior to issuance of occupancy permit</p> <p>Prior to issuance of occupancy permit</p>	
<p>Threshold "b.:" Significant and Unavoidable Direct and Cumulatively-Considerable Impact. Project-related activities would exceed the applicable SCAQMD regional thresholds for NO_x emissions during construction and long-term operation. As such, Project-related emissions would violate SCAQMD air quality standards and contribute to the non-attainment of ozone standards in the SCAB, and impacts would be significant.</p>	<p>Refer to MM 4.2-4 through MM 4.2-9, above.</p>				<p>Significant and Unavoidable Direct and Cumulatively-Considerable Impact</p>



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Threshold “c:” <u>Less-than-Significant Impact</u> . Implementation of the Project would not: 1) exceed applicable SCAQMD localized criteria pollution emissions thresholds during construction and operation; 2) would not expose sensitive receptors to toxic air contaminants (i.e., DPM) that exceed the applicable SCAQMD carcinogenic and non-carcinogenic risk thresholds; and 3) would not cause or contribute to the formation of a CO “hot spot.”	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold “d:” <u>Less-than-Significant Impact</u> . The Project would not produce air emissions that would lead to unusual or substantial construction-related or operational-related odors. The Project is required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.3 Cultural Resources					
Summary of Impacts					
Threshold “a:” <u>No Impact</u> . No historic resources, as defined by CEQA Guidelines Section 15064.5, are present on the Project Site; therefore, no historic resources could be altered or destroyed by construction or operation of the Project.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold “b:” <u>Significant and Unavoidable Direct and Cumulatively-Considerable Impact</u> . No known prehistoric archaeological resources are present on the Project Site and the likelihood of uncovering buried prehistoric cultural resources on the Project Site is low due to the magnitude of historic ground disturbance on the Project Site. Nonetheless, the potential exists for Project construction activities to result in a direct and cumulatively-considerable impact to significant subsurface prehistoric archaeological resources should such resources be discovered during Project-	MM 4.3-1 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Rialto that an archaeologist that meets the latest version of the Secretary of the Interior Professional Qualifications Standards (hereafter “Project Archaeologist”) has been retained to conduct the training and monitoring activities described in Mitigation Measure 4.3-2 and Mitigation Measure 4.3-3.	Project Developer; Project Archaeologist	City of Rialto Planning Division and Building and Safety Division	Prior to the issuance of a grading permit	Less-than-Significant Impact after Mitigation



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	curated according to current professional repository standards. The collections and associated records shall be donated to an appropriate curation facility, or, the artifacts may be delivered to the appropriate Native American Tribe(s) if that is recommended by the City of Rialto. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City of Rialto, the South Central Coastal Information Center at California State University, Fullerton, and the appropriate Native American Tribe(s).				
<u>Threshold “c:” Less-Than-Significant Impact.</u> In the unlikely event that human remains are discovered during Project grading or other ground disturbing activities, the Project Applicant would be required to comply with the applicable provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 et seq. Mandatory compliance with State law would ensure that human remains, if encountered, are appropriately treated and would preclude the potential for significant impacts to human remains.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.4 Energy					
Summary of Impacts					
<u>Threshold “a:” Less-than-Significant Impact.</u> The amount of energy and fuel consumed by construction and operation of the Project would not be inefficient, wasteful, or unnecessary. Furthermore, the Project would not cause or result in the need for additional energy facilities or energy delivery systems	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold “b:” Less-than-Significant Impact.</u> The Project would not cause or result in the need for additional energy production or transmission facilities. The Project would not conflict with or obstruct the achievement of energy conservation goals within the State of	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
California identified in State and local plans for renewable energy and energy efficiency.					
4.5 Geology and Soils					
Summary of Impacts					
<u>Threshold “a:” Less-than-Significant Impact.</u> Implementation of the Project would not expose people or structures to substantial direct or indirect adverse effects related to liquefaction or fault rupture. The Project Site is subject to seismic ground shaking associated with earthquakes; however, mandatory compliance with local and State regulatory requirements and building codes would ensure that the Project minimizes potential hazards related to seismic ground shaking to less-than-significant levels.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold “b:” Less-than-Significant Impact.</u> Implementation of the Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain a NPDES permit for construction activities and adhere to a SWPPP, and prepare an erosion control plan to minimize water and wind erosion. Following completion of development, the Project’s owner or operator would be required by law to implement a SWQMP during operation, which would preclude substantial erosion impacts in the long-term.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold “c:” Less-than-Significant Impact.</u> There is no potential for the Project’s construction or operation to cause, or be impacted by, on- or off-site landslides or lateral spreading. Potential hazards associated with unstable soils would be precluded through mandatory adherence to the recommendations contained in the site-specific Geotechnical Investigation during Project construction.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	<p>equipment to allow for the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the paleontologist to have a low potential to contain or yield fossil resources.</p> <p>MM 4.5-3 Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into the collections of the Division of Geological Sciences, San Bernardino County Museum, shall be required for discoveries of significance as determined by the paleontological monitor.</p> <p>MM 4.5-4 A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Rialto prior to issuance of the first occupancy permit.</p>	<p>Project Applicant; Project Paleontologist</p> <p>Project Applicant; Project Paleontologist</p>	<p>City of Rialto Planning Division and Building and Safety Division</p> <p>City of Rialto Planning Division and Building and Safety Division</p>	<p>If a significant paleontological resource is discovered on the project site</p> <p>Prior to final building inspection</p>	
4.6 Greenhouse Gas Emissions					
Summary of Impacts					
<p><u>Threshold “a:” Significant Unavoidable Cumulatively-Considerable Impact.</u> The Project would exceed the SCAQMD significance threshold of 3,000 MTCO₂e per year. As such, the Project would generate substantial, cumulatively-considerable GHG emissions that may have a significant impact on the environment.</p>	Refer to MM 4.2-4 through MM 4.2-9, above.	N/A	N/A	N/A	Significant and Unavoidable Direct and Cumulatively-Considerable Impact
<p><u>Threshold “b:” Less-than-Significant Impact.</u> The Project would be consistent with or otherwise would not conflict with, applicable regulations, policies, plans, and policy goals that would further reduce GHG emissions.</p>	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
<p><u>Threshold “c:” Less-than-Significant Impact.</u> The Project Site is located within one-quarter mile of Joe Baca Middle School; however, the Project would comply with applicable federal, State, and local regulations related to the handling, storage, use, and transport of hazardous materials to ensure that students at Joe Baca Middle School are not exposed to substantial hazardous emissions or acutely hazardous materials, substances, or waste.</p>	<p>MM 4.7-3 Prior to the issuance of any new occupancy permit for a use/user within the Project Site, the use/user shall disclose to the City of Rialto if they will transport and/or store hazardous materials in amounts warranting the preparation of a Hazardous Materials Business Emergency Plan (HMBEP) as required by law. If a HMBEP is required by law, the Project Applicant shall provide a copy of its approved Emergency Response Plan to the Superintendent’s Office and Facilities Office of the Colton Joint Unified School District as well as the Principal of Joe Baca Middle School outlining how the building use/user will prevent or respond to spills or leaks of hazardous materials related to its facility/facilities and use of the Project Site. If so requested, the Project Applicant shall also meet with School District and Fire Department officials to discuss emergency response procedures as contained in the HMBEP for spills or leaks at the Project Site in relation to the nearby school facilities. This measure shall be implemented under the supervision of the City of Rialto’s Planning Division, with input from the Colton Joint Unified School District Superintendent as appropriate. All meetings shall be documented and documentation shall be provided to the City within thirty (30) days of each meeting.</p>	Project site owner or occupant	City of Rialto Planning Division and Building and Safety Division	Prior to issuance of occupancy permit	Less-than-Significant Impact
<p><u>Threshold “d:” No Impact.</u> The Project Site is not located on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.</p>	No mitigation is required.	N/A	N/A	N/A	No Impact
<p><u>Threshold “e:” Less-than-Significant Impact.</u> The Project Site is not located within a noise or safety hazard area for the Rialto Municipal Airport. As such, the Project would not result in an airport safety hazard for people residing or working in the Project area.</p>	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<p><u>Threshold “f:” Less-than-Significant Impact.</u> The Project Site does not contain any emergency facilities nor does it serve as an</p>	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
emergency evacuation route. During construction and long-term operation, adequate emergency vehicle access is required to be provided. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan.					
<u>Threshold “g:” No Impact.</u> The Project Site is not located in close proximity to wildlands or areas with high fire hazards. Thus, the Project would not expose people or structures to a significant wildfire risk.	No mitigation is required.	N/A	N/A	N/A	No Impact
4.8 Hydrology and Water Quality					
Summary of Impacts					
<u>Threshold “a:” Less-than-Significant Impact.</u> The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Adherence to a SWPPP and WQMP is required as part of the Project’s implementation to address construction- and operational-related water quality.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold “b:” Less-than-Significant Impact.</u> The Project would not physically impact any of the major groundwater recharge facilities in the Upper Santa Ana Valley Groundwater Basin. The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede management of the Upper Santa Ana Valley Groundwater Basin.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold “c:” Less-than-Significant Impact.</u> The Project Applicant would be required to comply with applicable water quality regulatory requirements to minimize erosion and siltation. Additionally, the Project would not result in flooding on- or off-site or impede/redirect flood flows. Lastly, the	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Project would not create or contribute to increased flooding risks due to insufficient capacity of existing or planned stormwater drainage systems or and would not provide substantial additional sources of polluted runoff.					
<u>Threshold “d:” No Impact.</u> The Project Site would not be subject to inundation from tsunamis, seiches, or other hazards.	No mitigation is required.	N/A	N/A	N/A	No Impact
<u>Threshold “e:” Less-than-Significant Impact.</u> The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.9 Land Use and Planning					
Summary of Impacts					
<u>Threshold “a:” No Impact.</u> The Project would not physically divide an established community.	No mitigation is required.	N/A	N/A	N/A	No Impact
<u>Threshold “b:” Less-than-Significant Impact.</u> The Project’s proposed General Plan Amendment and Specific Plan Amendment would eliminate potential inconsistencies between the proposed on-site land use the site’s existing General Plan and Specific Plan land use designations. In addition, the proposed Variance would eliminate the potential inconsistency between the proposed design and the City’s Zoning Ordinance.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.10 Noise					
Summary of Impacts					
<u>Threshold “a:” Less-than-Significant Impact.</u> The Project would generate short-term construction and long-term operational noise but would not generate noise levels during construction and/or operation that exceed the standards established by the FTA, FICON, the City of Rialto, or San Bernardino County Development Code.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
<u>Threshold “b:” Less-than-Significant Impact.</u> The Project’s construction and operational activities would not result in a perceptible groundborne vibration or noise.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold “c:” Less-than-Significant Impact.</u> The Project Site is not located within an area exposed to high levels of noise from the San Bernardino International Airport. As such, the Project would not expose people to excessive noise levels associated with a public airport or public use airport.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.11 Transportation					
Summary of Impacts					
<u>Threshold “a:” Less-than-Significant Impact.</u> The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system such that the Project would result in a significant impact on the environment. Although the Project would contribute to traffic volumes at three intersections that would operate at a deficient LOS, in potential conflict with General Plan Circulation Chapter Policy 4-1.20, which relates to LOS criteria, SB 743 and the CEQA Guidelines stipulate that LOS is not to be used as a criteria for determining significant effects on the environment. Further, City-required fair share payments would ensure that the Project remains consistent with General Plan Circulation Chapter Policy 4-1.20.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold “b:” Significant Direct and Cumulatively-Considerable Impact.</u> The Project would result in a significant direct and cumulatively considerable VMT impact because, due to the Project Site’s location, the Project’s employees are calculated to need to travel farther to and from the Project Site than the average daily distance traveled by workers and residents in Rialto. Because no feasible mitigation is available to reduce the VMT for the Project’s employees to below the City’s calculated average VMT, the Project’s would	No feasible mitigation is available.	N/A	N/A	N/A	Significant and Unavoidable Direct and Cumulatively-Considerable Impact



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
result in a significant and unavoidable direct and cumulatively considerable impact under Threshold “b.”					
<u>Threshold “c:” Less-than-Significant Impact.</u> No significant transportation safety hazards would be introduced as a result of the proposed Project.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold “d:” No Impact.</u> Adequate emergency access would be provided to the Project Site during construction and long-term operation. The Project would not result in inadequate emergency access to the site or surrounding properties.	No mitigation is required.	N/A	N/A	N/A	No Impact
4.12 Tribal and Cultural Resources					
Summary of Impacts					
<u>Threshold a: Significant Direct and Cumulatively-Considerable Impact.</u> The Project Site does not contain any recorded, significant tribal cultural resource sites; therefore, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources. Nonetheless, Project construction activities have the potential to unearth and adversely impact tribal cultural resources that may be buried at the Project Site. Implementation of MMs 4.3-1 through 4.3-5 would ensure the proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development. With implementation of the required mitigation, the Project’s potential impact to significant tribal cultural resources would be reduced to less-than-significant.	MM 4.12-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. C. On the days the monitor is present, the monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-	N/A	N/A	N/A	Less-than-Significant Impact with Mitigation



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	<p>disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.</p> <p>D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.</p> <p>E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.</p>				
	<p>MM 4.12-2 Unanticipated Discovery of Human Remains and Associated Funerary Objects</p> <p>A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or</p>				



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	<p>cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.</p> <p>B. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.</p> <p>C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).</p> <p>D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, unless the Kizh determines in its reasonable discretion that resuming construction activities at that distance is not acceptable, and provides an alternative distance or other mitigation measures the Kizh monitor and/or archaeologist deems necessary in their reasonable discretion. (CEQA Guidelines Section 15064.5(f).)</p> <p>E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no</p>				



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	<p>institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.</p> <p>F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.</p>				
	<p>MM 4.12-3 Procedures for Burials and Funerary Remains:</p> <p>A. As the Most Likely Descendant (“MLD”), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.</p> <p>B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.</p> <p>C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.</p> <p>D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every reasonable effort to recommend diverting the</p>				



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	<p>project around the immediate area of where the human remains are discovered and keeping the remains in situ and protected, if feasible. If the project cannot be diverted, the burials may be removed.</p> <p>E. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site in the immediate area of where the human remains are discovered, the landowner shall arrange a designated site location within the footprint of the project, if feasible, for the respectful reburial of the human remains and/or ceremonial objects.</p> <p>F. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p> <p>G. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.</p>				



THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
4.13 Utilities and Service Systems					
Summary of Impacts					
<u>Threshold “a:” Less-than-Significant Impact.</u> The Project would not result in substantial adverse effects to the environment during the construction of water, wastewater, stormwater drainage, and electric power infrastructure.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold “b:” Less-than-Significant Impact.</u> The City of Rialto is expected to have sufficient water supplies to service the Project. The Project would not exceed the City’s available supply of water during normal years, single-dry years, or multiple-dry years.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold “c:” Less-than-Significant Impact.</u> The City of Rialto would provide wastewater treatment services to the Project Site via the RWTP, which has adequate capacity to service the Project and no new or expanded facilities would be needed.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold “d:” Less-than-Significant Impact.</u> There is adequate capacity available at the Mid-Valley Landfill to accept the Project’s solid waste during both construction and long-term operation. The Project would not generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure to handle the waste.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
<u>Threshold “e:” Less-than-Significant Impact.</u> The Project would comply with all applicable federal, State, and local statutes and regulations related to the management and reduction of solid waste and pertaining to waste disposal, reduction, and recycling.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact



1.0 INTRODUCTION

This EIR is an informational document that represents the independent judgment of the City of Rialto, acting as the Lead Agency pursuant to the CEQA, and evaluates the physical environmental effects that could result from constructing and operating the proposed Birtcher Logistics Center Rialto Project (hereinafter, the “Project” or “proposed Project”). To implement the Project, the Project Applicant has requested that the City approve a General Plan Amendment (GPA No. 2020-0001), Specific Plan Amendment (SPA No. 2020-0001), Conditional Development Permit (CDP No. 2020-0006), Precise Plan of Design (PPD No. 2020-0012), Variance (VAR No. 2020-0001), and Lot Merger No. 2021-0002. This EIR also describes other discretionary and administrative actions that are required to construct and operate the Project.

When the term “Project” is used in this EIR, it shall mean all aspects of the planning, construction, and operation of Birtcher Logistics Center Rialto, including all discretionary and administrative approvals and permits required for its implementation. When the terms “Project Applicant” or “Applicant” are used, they shall mean QR Birtcher Willow Ave. Owner LLC, which is the entity that submitted applications for the Project as proposed and as evaluated in this EIR.

1.1 TYPE OF EIR

As the first step in the CEQA compliance process, the City prepared an Initial Study, dated July 21, 2021, pursuant to CEQA Guidelines Section 15063. The Initial Study is included as *Technical Appendix A* to this EIR. The Initial Study revealed that the Project has the potential to cause or contribute to significant environmental effects, and a Project EIR would be required, as defined by CEQA Guidelines Section 15161. Accordingly, this document serves as a Project EIR.

Pursuant to CEQA Guidelines Section 15161, this Project EIR shall “...focus primarily on the changes in the environment that would result from the development project,” and “...examine all phases of the project including planning, construction, and operation.” Also, pursuant to CEQA Guidelines Section 15121(a), the purposes of this EIR are to: (1) disclose information by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project, (2) identify possible ways to minimize or avoid those significant effects, and (3) to describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.

1.2 LIST OF PROJECT APPROVALS

The Project Applicant proposes to develop one light industrial building on an approximate 21.0-acre property (“Project Site”). The Project Site is located in the northwest corner of the intersection of Valley Boulevard and Willow Avenue in the City of Rialto, San Bernardino County, California. The Project requires demolition of the existing structures and outbuildings used for office and storage by the businesses operating on-site. The Project also will entail the construction and operation of a building with up to 492,410 s.f. of interior floor area. The Project’s design includes the installation of associated site improvements, including drive aisles, landscaping, utility infrastructure connections, underground infiltration chambers, exterior lighting,



walls/fencing, and signage, as well as street improvements to the segments of Valley Boulevard and Willow Avenue that front the Project Site.

The Applicant has filed applications for the following discretionary actions for the City of Rialto's consideration:

- **General Plan Amendment (GPA No. 2020-0001)** proposes to amend the City of Rialto Land Use Policy Plan (General Plan Figure 2.2) to change the land use designation for the southern portion of the Project Site from “General Commercial” to “Business Park.” The northern portion of the Project Site already is designated Business Park under existing conditions and does not require amendment.
- **Specific Plan Amendment (SPA No. 2020-0001)** proposes to amend the Gateway Specific Plan to change the land use designation for the southern portion of the Project Site from “Freeway Commercial” to “Industrial Park.” The northern portion of the Project Site already is designated Industrial Park under existing conditions and does not require amendment.
- **Conditional Development Permit (CDP No. 2020-0006) and Precise Plan of Design (PPD No. 2020-0012)** provide a comprehensive plan, including site layout, architectural design, and landscape plan, for the development and operation of an approximately 492,410 s.f. warehouse distribution building on the Project Site. The Project provides an enclosed truck court on the west side of the proposed building; the truck court includes 62 dock doors and 104 trailer parking stalls. The Project also provides 287 passenger vehicle parking spaces (distributed along the north and south sides of the building). Vehicular access to the Project Site would be provided by two proposed driveways onto Valley Boulevard and one proposed driveway onto Willow Avenue.
- **Variance (VAR No. 2020-0001)** is a proposal to: 1) allow the proposed warehouse distribution building to exceed the 35-foot height limit within the Gateway Specific Plan's “Industrial Park” zone; and 2) allow less than a 10-foot-wide landscape strip along segments of the Project Site's northern boundary as an exception to Municipal Code Section 18.61.250(E).
- **Lot Merger No. 2021-0002** proposes to consolidate the parcels within the Project Site into a single parcel.

The Project components listed above are described in more detail in EIR Section 3.0, *Project Description*.

1.3 STATEMENT OF LEGAL AUTHORITY

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

Pursuant to Public Resources Code Section 21067 and CEQA Guidelines Article 4 and Section 15367, the City of Rialto is the Lead Agency under whose authority this EIR has been prepared. “Lead Agency” refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the Lead Agency and before taking action to approve the Project, the City has the obligation to: (1) ensure that this EIR has been completed in accordance with CEQA and the CEQA Guidelines; (2) review and consider the information contained in this EIR as part of its decision making process; (3) make a statement that this EIR



reflects the City’s independent judgment; (4) ensure that all significant effects on the environment are eliminated or substantially lessened where feasible; and, if necessary (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or project alternatives identified in this EIR are infeasible and citing the specific benefits of the Project that outweigh its unavoidable adverse effects (CEQA Guidelines Section 15090 through 15093).

Pursuant to CEQA Guidelines Sections 15040 through 15043, and upon completion of the CEQA review process, the City will have the legal authority under CEQA – and in conjunction with discretionary powers granted to the City by the State Constitution – to do any of the following:

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

This EIR fulfills the CEQA environmental review requirements for the proposed General Plan Amendment (GPA No. 2020-0001), Specific Plan Amendment (SPA No. 2020-0001), Conditional Development Permit (CDP No. 2020-0006), Precise Plan of Design (PPD No. 2020-0012), Variance (VAR No. 2020-0001), Lot Merger No. 2021-0002, and all other governmental discretionary and administrative actions related to the Project.

1.4 RESPONSIBLE AND TRUSTEE AGENCIES

Public Resource Code Section 21104 requires that all EIR’s be reviewed by responsible and trustee agencies (see also CEQA Guidelines Section 15082 and Section 15086(a)). As defined by CEQA Guidelines Section 15381, “the term ‘Responsible Agency’ includes all public agencies other than the Lead Agency that have discretionary approval power over the project.” A “Trustee Agency” is defined in CEQA Guidelines Section 15386 as “a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California.”

- The Santa Ana Regional Water Quality Control Board (RWQCB) is identified as a Trustee Agency for the Project that is responsible for the protection of California’s water resources and water quality. The Santa Ana RWQCB is responsible for issuance of a National Pollutant Discharge Elimination System (NPDES) Permit to ensure that during and after Project construction, on-site water flows do not result in siltation, other erosional actions, or degradation of surface or subsurface water quality.
- The Department of Toxic Substances Control (DTSC) is responsible for the protection of California’s people, communities, and environment from toxic substances. The DTSC is identified as a



Responsible Agency for the Project that is responsible for oversight of potentially hazardous conditions on the Project Site.

There are no other known Trustee Agencies or Responsible Agencies identified for the Project. Regardless, this EIR can be used by any Trustee Agency or Responsible Agency, whether identified in this EIR or not, as part of their decision-making processes in relation to the proposed Project.

1.5 SCOPE OF THE EIR

1.5.1 EIR SCOPE

An Initial Study was prepared by the City of Rialto to identify preliminarily the environmental issue areas that may be adversely impacted by the Project. Following completion of the Initial Study, the City filed a NOP with the California Office of Planning and Research (State Clearinghouse) to indicate that an EIR would be prepared to evaluate the Project’s potential impacts on the environment. The NOP was filed with the State Clearinghouse and distributed to potential Responsible Agencies, Trustee Agencies, and other interested parties on July 23, 2021, for a 30-day public review period. The NOP was distributed for public review to solicit responses that would help the City identify the full scope and range of potential environmental concerns associated with the Project so that these issues could be fully examined in this EIR.

In addition, a publicly-noticed EIR Scoping Meeting was held on August 12, 2021. The EIR Scoping Meeting provided public agencies, interested parties, and members of the general public an additional opportunity to learn about the Project, the CEQA review process, and how to submit comments on the scope and range of environmental concerns to be addressed in this EIR.

The NOP, Initial Study, and written comments received by the City during the NOP public review period are provided in *Technical Appendix A* to this EIR. Substantive issues raised in response to the NOP and during the Scoping Meeting are summarized in Table 1-1, *Summary of NOP and Scoping Meeting Comments*. The purpose of this table is to present a summary of the environmental topics that were expressed by public agencies, interested parties, and members of the general public to be of primary interest. Table 1-1 does not list every comment received by the City during the NOP review period. Regardless of whether or not an environmental or CEQA-related comment is listed in the table, all relevant comments received in response to the NOP the EIR Scoping Meeting are addressed in this EIR.

Table 1-1 Summary of NOP and Scoping Meeting Comments

ENVIRONMENTAL TOPIC	COMMENT	LOCATION IN EIR WHERE COMMENTS ADDRESSED
Air Quality	Recommendation to use the SCAQMD’s CEQA Air Quality Handbook (1993) when preparing the Project’s air quality analysis.	4.2, <i>Air Quality</i>
	Recommendation to use the CalEEMod land use emissions software when preparing the Project’s air quality analysis.	
	Request to identify any potential adverse air quality impacts that could occur from all phases of the Project (including construction and operation) and all air pollutant sources related to the Project.	



Table 1-1 Summary of NOP and Scoping Meeting Comments

ENVIRONMENTAL TOPIC	COMMENT	LOCATION IN EIR WHERE COMMENTS ADDRESSED
Air Quality (cont.)	Request to quantify criteria pollutant emissions and compare the results to applicable SCAQMD regional and localized significance thresholds (LSTs).	
	Request that the EIR disclose the potential for the Project to result in adverse health effects related to diesel emissions, particularly to sensitive receptors (including children at Colton Joint Unified School District school campuses).	
	Request that the Project incorporate design/mitigation measures to reduce any significant air pollutant emissions.	
Flooding	Request that the EIR address potential flooding impacts within FEMA Flood Zone X	4.8, <i>Hydrology and Water Quality</i>
Hazardous Materials	Request that the EIR address on-site soil contamination and hazardous materials, if any are present on the Project Site.	4.7, <i>Hazards and Hazardous Materials</i>

Upon consideration of the information disclosed in the Project’s Initial Study and all comments received by the City in response to the NOP and the EIR Scoping Meeting, this EIR provides a detailed analysis of the Project’s potential to cause adverse effects under the following topic areas:

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

The analysis related to the above-listed topics is provided in EIR Section 4.0, *Environmental Analysis*.

Based on the analysis provided in the Initial Study prepared for the Project (see *Technical Appendix A*), the City concluded that the Project would clearly result in (1) no impacts or (2) less-than-significant to several environmental topic areas, including: agriculture and forestry resources, biological resources, mineral resources, population and housing, public services, recreation, and wildfire. Potential effects to these topic areas are summarized in EIR Section 5.0, *Other CEQA Considerations*.

1.5.2 EIR FORMAT AND CONTENT

CEQA requires that an EIR contain, at a minimum, certain specified content. This EIR contains all of the information required to be included in an EIR as specified by Public Resources Code, Section 21000 *et. seq.* and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 5). Table 1-2, *Location of CEQA Required Topics*, provides a quick reference guide for locating the CEQA-required sections within this EIR.



Table 1-2 Location of CEQA Required Topics

CEQA REQUIRED TOPIC	CEQA GUIDELINES REFERENCE	LOCATION IN THIS EIR
Table of Contents	Section 15122	Table of Contents
Summary	Section 15123	Section S.0
Project Description	Section 15124	Section 3.0
Environmental Setting	Section 15125	Section 2.0
Consideration and Discussion of Environmental Impacts	Section 15126	Section 4.0
Significant Environmental Effects Which Cannot be Avoided if the Project is Implemented	Section 15126.2(c)	Section 4.0 & Subsection 5.1
Significant Irreversible Environmental Changes Which Would be Caused by the Project Should it be Implemented	Section 15126.2(d)	Subsection 5.2
Growth-Inducing Impact of the Project	Section 15126.2(e)	Subsection 5.3
Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects	Section 15126.4	Section 4.0 & Table S-1
Consideration and Discussion of Alternatives to the Project	Section 15126.6	Section 6.0
Effects Not Found to be Significant	Section 15128	Subsection 5.4
Organizations and Persons Consulted	Section 15129	Section 7.0 & Technical Appendices
Discussion of Cumulative Impacts	Section 15130	Section 4.0
Energy Conservation	Section 15126.2(b) & Appendix F	Subsection 4.4

In summary, the content and format of this EIR is as follows:

- **Section S.0, Executive Summary** provides an overview of the EIR and CEQA process and provides a brief Project Description, which includes references to its objectives, the location and regional setting of the Project Site and potential alternatives to the Project as required by CEQA. The Executive Summary also provides a summary of the Project’s impacts, mitigation measures, and conclusions, in a table that forms the basis of the Project’s MMRP.
- **Section 1.0, Introduction** provides introductory information about the CEQA process and the responsibilities of the City of Rialto in its role as Lead Agency, a brief Project Description, the purpose of the EIR, and an overview of the EIR format.
- **Section 2.0, Environmental Setting** describes the environmental setting, including descriptions of the Project Site’s physical conditions and surrounding context used as the baseline for analysis in this EIR.
- **Section 3.0, Project Description** includes a detailed Project Description that identifies the precise location and boundaries of the Project, a map showing the Project’s location in a regional perspective, a statement of the Project’s objectives, a general description of the Project’s technical, economic, and environmental characteristics, and a statement describing the intended uses of the EIR, including a list of agencies expected to use the EIR, and a list of approvals for which the EIR will be used. The Project Description contains a level of specificity commensurate with the level of detail proposed by the Project.



- **Section 4.0, Environmental Analysis** provides an analysis of potential direct, indirect, and cumulative impacts that may occur with implementation of the Project. A determination concerning the significance of each impact is addressed and mitigation measures are presented when warranted. The environmental changes identified in Section 4.0 and throughout this EIR are referred to as “effects” or “impacts” interchangeably. CEQA Guidelines Section 15358 describe the terms “effects” and “impacts” as being synonymous.

In each subsection of Section 4.0, the existing conditions pertaining to the subject area being analyzed are discussed accompanied by a specific analysis of physical impacts that may be caused by implementing the Project. Impacts are evaluated on a direct, indirect, and cumulative basis. Direct impacts are those that would occur directly as a result of the Project. Indirect impacts represent secondary effects that would result from Project implementation. Cumulative effects are defined in CEQA Guidelines Section 15355 as “...two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.”

The analyses in Section 4.0 are based in part upon technical reports that are included in this EIR. Information also is drawn from other sources of analytical materials that directly or indirectly relate to the Project and are cited in Section 7.0, *References*.

Where the analysis identifies a significant environmental effect, feasible mitigation measures are recommended. Pursuant to CEQA and the CEQA Guidelines, an EIR must propose and describe mitigation measures to minimize the significant environmental effects identified in the EIR. The requirement that EIRs identify mitigation measures realizes CEQA's policy that Lead Agencies adopt feasible measures when approving a project to reduce or avoid its significant environmental effects. Per Public Resources Code Section 21081.6 and CEQA Guidelines Section 15126.4, mitigation measures must be enforceable through conditions of approval, contracts or other means that are legally binding. Pursuant to Public Resources Code Section 21081.6, incorporating mitigation measures into conditions of approval is sufficient to demonstrate that the measures are enforceable. This requirement is designed to ensure that mitigation measures will actually be implemented, not merely adopted and then ignored. In light of the foregoing, the identified mitigation measures are analyzed to determine whether they would effectively reduce or avoid any significant environmental effects. In most cases, implementation of the mitigation measures would reduce an identified significant environmental effect to below a level of significance. If mitigation measures are not available or feasible to reduce an identified impact to below a level of significance, the environmental effect is identified as a significant and unavoidable adverse impact, for which a Statement of Overriding Considerations would need to be adopted by the Lead Agency pursuant to CEQA Guidelines Section 15093.

- **Section 5.0, Other CEQA Considerations**, includes specific topics that are required by CEQA. These include a summary of the Project’s significant and unavoidable environmental effects, a discussion of the significant and irreversible environmental changes that would occur should the Project be implemented, as well as potential growth-inducing impacts of the Project. Section 5.0 also includes a discussion of the potential environmental effects that were found not be significant during preparation of this EIR.



- **Section 6.0, Project Alternatives**, describes and evaluates alternatives to the Project that could reduce or avoid the Project’s adverse environmental effects. CEQA does not require an EIR to consider every conceivable alternative to the Project but rather to consider a reasonable range of alternatives, including a “No Project” alternative, that will foster informed decision making and public participation.
- **Section 7.0, References**, cites all reference sources used in preparing this EIR and lists the agencies and persons that were consulted in preparing this EIR. Section 7.0 also lists the persons who authored or participated in preparing this EIR.

1.6 INCORPORATION BY REFERENCE

CEQA Guidelines Section 15147 states that the “information contained in an EIR shall include summarized...information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public,” and that the “[p]lacement of highly technical and specialized analysis and data in the body of an EIR shall be avoided through the inclusion of supporting information and analyses as appendices to the main body of the EIR.” CEQA Guidelines Section 15150 allows for the incorporation “by reference all or portions of another document... [and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand.” The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of this EIR. Where this EIR incorporates a document by reference, the document is identified in the body of the EIR, citing the appropriate section(s) of the incorporated document and describing the relationship between the incorporated part of the referenced document and this EIR. Refer to EIR Section 7.0, *References*, for a list of documents incorporated into this EIR by reference.

This EIR also relies on a number of Project-specific technical appendices that are bound separately as Technical Appendices. The Technical Appendices are available for review at the City of Rialto Community Development Department Planning Division, 150 S. Palm Avenue, Rialto, California 92376, during the City of Rialto’s regular business hours or can be accessed on the City’s website at <https://www.yourrialto.com/314/Current-Projects>. The individual technical studies, reports, and supporting documentation that comprise the Technical Appendices are as follows:

- A: Initial Study, Notice of Preparation, and Written Comments on the NOP
- B1: Air Quality Impact Analysis
- B2: Health Risk Assessment
- C: Cultural Resources Records Search
- D: Energy Analysis
- E: Geotechnical Report
- F: Greenhouse Gas Emissions Analysis
- G1: Phase I Environmental Site Assessment
- G2: Phase I Environmental Site Assessment
- G3: Phase II Environmental Site Assessment
- G4: Asbestos and Lead Assessment
- G5: Soil Vapor Survey
- H1: Preliminary Hydrology Report
- H2: Preliminary Water Quality Management Plan



- I: Noise Impact Analysis
- J: Traffic Impact Analysis
- K: Vehicle Miles Traveled Analysis
- L: Economic Benefit Analysis

Other reference sources that are incorporated into this EIR by reference are listed in Section 7.0, *References*, of this EIR. In most cases, documents or websites not included in the EIR's Technical Appendices are cited by a link to the online location where the document/website can be viewed. References relied upon by this EIR will be available for public review at the City of Rialto Community Development Department, Planning Division, 150 S. Palm Avenue, Rialto, California 92376.



2.0 ENVIRONMENTAL SETTING

2.1 REGIONAL SETTING AND LOCATION

The Project Site is located in the southeastern portion of the City of Rialto, San Bernardino County, California. The City is located east of the City of Fontana and the unincorporated community of Bloomington, west of the Cities of San Bernardino and Colton, northwest of the City of Grand Terrace and unincorporated community of Highgrove, and north of the City of Riverside. The Project Site is located approximately 0.3-mile northwest of the Riverside Avenue on/off ramp to Interstate 10 (I-10) and approximately 4.3 miles west of the I-10 merge with Interstate 215 (I-215). The site's location and regional context are shown on Figure 3-1, *Regional Map*, in EIR Section 3.0, *Project Description*.

The Project Site is located in an urbanized area of southern California commonly referred to as the “Inland Empire.” The Inland Empire is an approximate 28,000 square mile region comprising Riverside County, San Bernardino County, and the eastern tip of Los Angeles County. According to United States (U.S.) Census data, the 2019 population of San Bernardino County was 2,180,085 (USCB, 2019)¹. The Southern California Association of Governments (SCAG) forecast models predict that the population of San Bernardino County will grow to approximately 2.82 million persons by the year 2045 (SCAG, 2020b, Table 13)².

2.2 LOCAL SETTING AND LOCATION

The Project Site is located at the northwest corner of the intersection of Valley Boulevard and Willow Avenue as illustrated on Figure 3-2, *Vicinity Map*, and Figure 3-3, *USGS Topographic Map*. The approximately 21.0-acre (914,760 s.f.) Project Site includes assessor parcel numbers (APNs) 0254-261-14, 0254-261-17, 0132-201-03, and 0132-181-01, and is associated with the addresses of 350 West Valley Boulevard, 1434 South Willow Avenue, and 1444 South Willow Avenue.

2.3 SURROUNDING LAND USES

Existing land uses in the immediate vicinity of the Project Site are illustrated on Figure 2-1, *Surrounding Land Uses*, and are described below.

- North: Vacant, undeveloped land abuts the Project Site to the north. The Rialto Channel, a man-made storm drain channel, also abuts a portion of the Project Site to the north. Farther north is vacant, undeveloped land and property occupied by industrial/warehouse buildings.
- South: Immediately to the south of the Project Site is Valley Boulevard. On the south side of Valley Boulevard is a vacant industrial building, a building housing several auto repair workshops, and an office building.

¹ United States Census Bureau, 2019. *Quickfacts*. July 1, 2019.
<https://www.census.gov/quickfacts/fact/table/sanbernardinocountycalifornia#>.

² Southern California Association of Governments, 2020. *Demographics and Growth Forecast*.
https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579.



- West: Properties abutting the Project Site on the west are occupied by a variety of uses, including warehouse buildings, truck parking, construction materials fabrication and storage.
- East: Immediately east of the Project Site is Willow Avenue. East of Willow Avenue is vacant, undeveloped land and an industrial building.

2.4 PLANNING CONTEXT

2.4.1 CITY OF RIALTO GENERAL PLAN

The City’s prevailing planning document is its General Plan, dated December 2010. As depicted on Figure 2-2, *Existing General Plan Land Use Map*, the City’s General Plan designates the northern portion of the Project Site for “Business Park (BP)” land uses and the southern portion of the Project Site for “General Commercial (GC)” land uses. The “BP” land use designation allows a mix of commercial, office, research and development, laboratories, and light industrial uses developed in a complementary manner and displaying high-quality architecture and site design (Rialto, 2010a, p. 2-9)³. The maximum floor area ratio (FAR) for “BP” land uses is 0.5 (ibid.). The “GC” land use designation provides opportunities for general retail, commercial services, restaurants, lodging, commercial recreation, professional offices, and medical and financial institutions (ibid.). The maximum FAR for “GC” land uses is 1.0 (ibid.).

2.4.2 GATEWAY SPECIFIC PLAN

The Project Site is located within the geographic boundaries of the Gateway Specific Plan. The Gateway Specific Plan establishes specific zoning designations and development standards for private development projects located within the Specific Plan’s geographic boundaries.

As shown on Figure 2-3, *Existing Gateway Specific Plan Land Use Map*, the Specific Plan designates the northern portion of the Project Site for “Industrial-Park (I-P)” land uses and the southern portion of the Project Site for “Freeway-Commercial (F-C)” land uses. The I-P area allows light industrial and warehousing uses that would be “good neighbors” for upscale retail, office, and freeway commercial uses and for the existing residential areas adjoining the area (Rialto, 1990, p. 4-3)⁴. The F-C area allows eating places, lodging facilities, auto services, and some office and retail uses (Rialto, 1990, p. 4-2).

2.4.3 ZONING

The development regulations and design standards contained within Sections 4.0 and 5.0 of the Gateway Specific Plan supersede the zoning standards contained in the City’s Zoning Ordinance (Municipal Code Title 18), except in instances where the Specific Plan is silent and the applicable regulations and standards contained in the Zoning Ordinance prevail. The Gateway Specific Plan is hereby incorporated by reference pursuant to CEQA Guidelines Section 15150 and is available for review at the City of Rialto Community Development Department, Planning Division, 150 S. Palm Avenue, Rialto, California 92376.

³ Rialto, City of. *Rialto General Plan*. <http://yourrialto.com/wp-content/uploads/2016/08/General-Plan-Update-2010.pdf>.

⁴ Rialto, City of. *The Specific Plan for the Gateway*. January 1990.

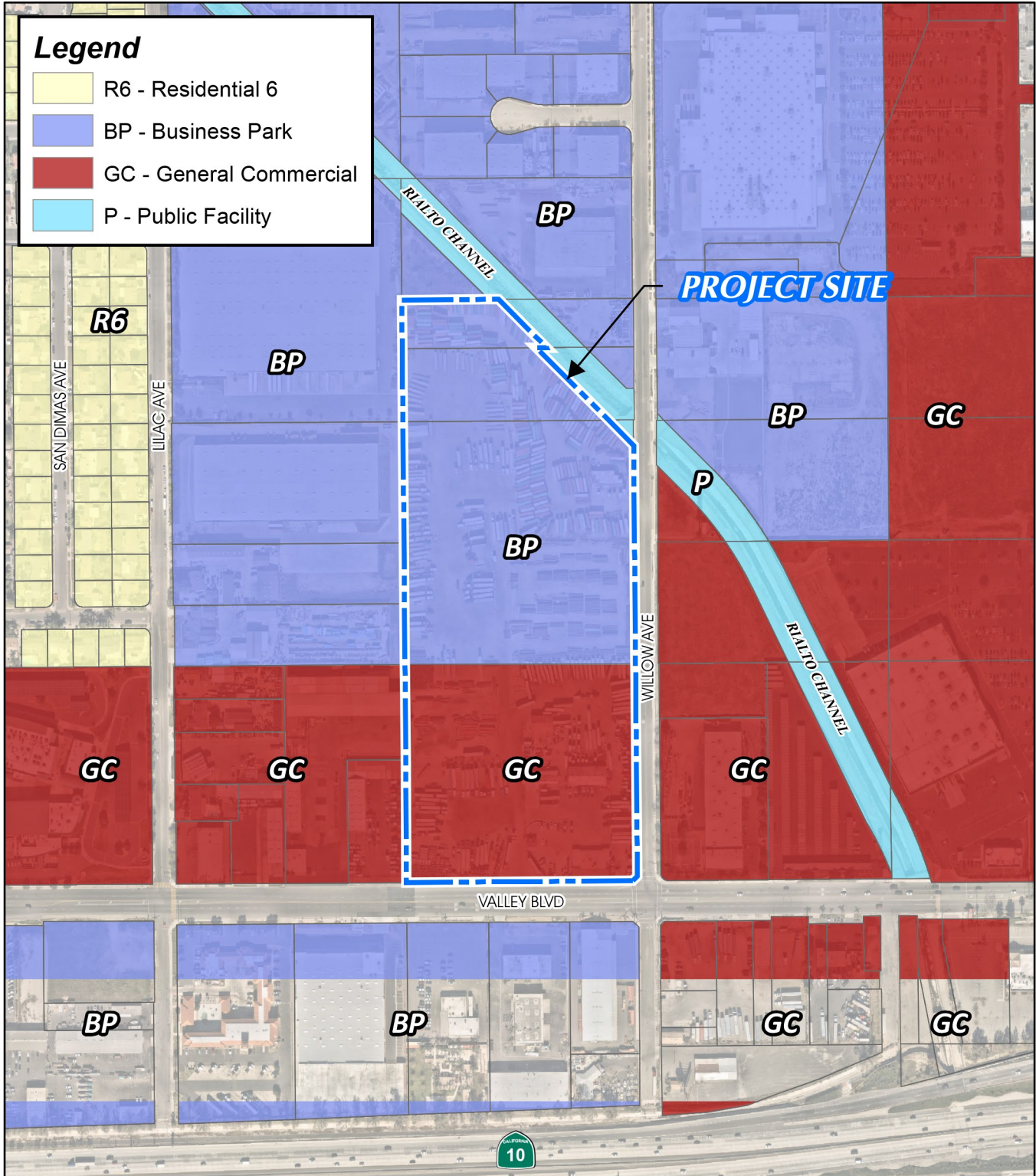


Source(s): ESRI, Nearmap Imagery (2021), SB County (2020)

Figure 2-1



Surrounding Land Uses

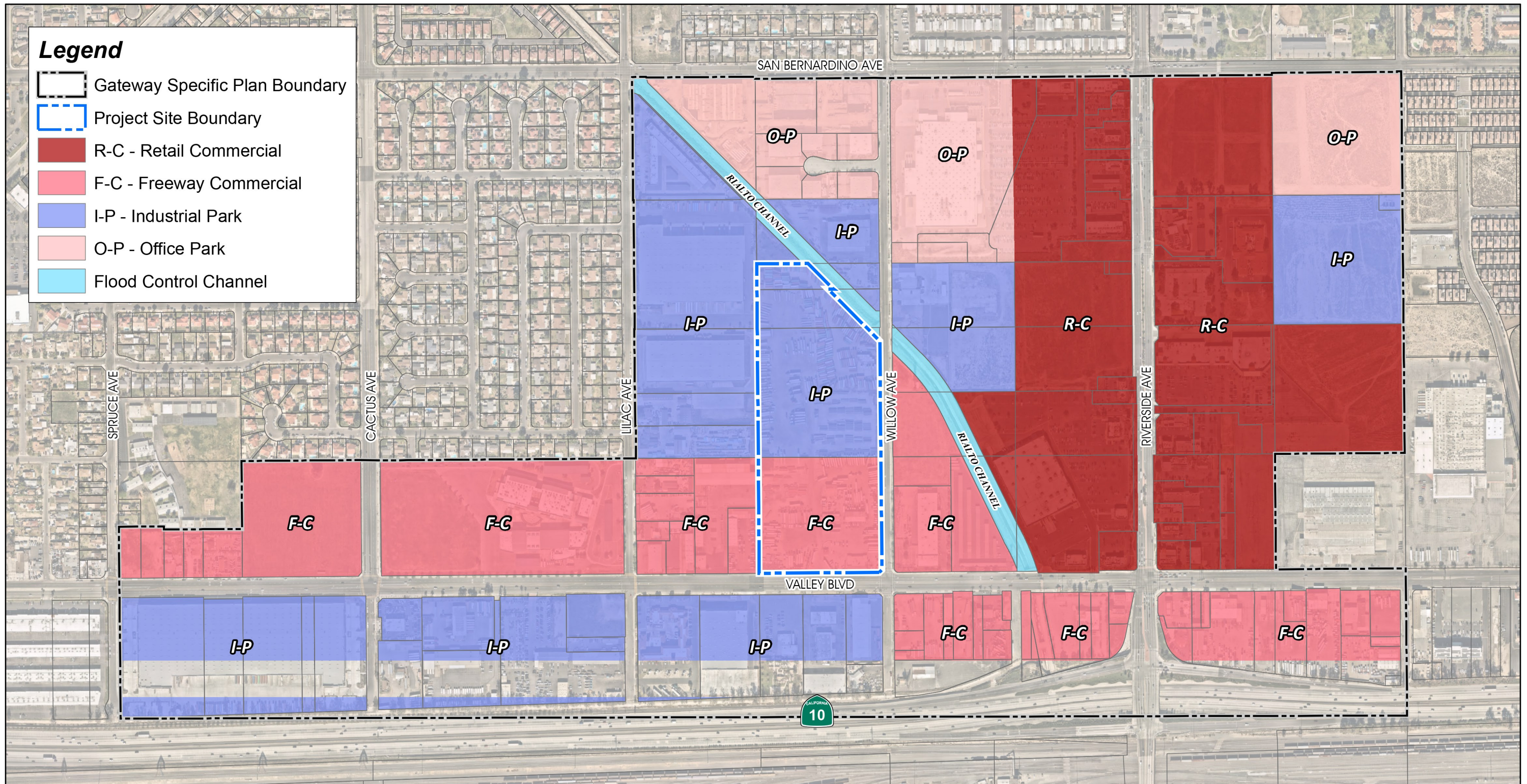


Source(s): City of Rialto (2010), ESRI, Nearmap Imagery (2021), SB County (2020)

Figure 2-2



Existing General Plan Land Use Map



Source(s): City of Rialto (2010), ESRI, Nearmap Imagery (2021), SB County (2020)

Figure 2-3



Existing Gateway Specific Plan Land Use Map



2.4.4 SCAG REGIONAL TRANSPORTATION PLAN / SUSTAINABLE COMMUNITIES STRATEGY

The SCAG is a Joint Powers Authority (JPA) established under California State law as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO) and under State law as a Regional Transportation Planning Agency and a Council of Governments (SCAG, 2021)⁵. The SCAG region encompasses six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura) including 191 cities in an area covering more than 38,000 square miles (ibid.). SCAG develops long-range regional transportation plans including sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations and other plans for the region (ibid.).

SCAG's *2020-2045 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS)* develops long-range regional transportation plans including a sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations and other plans for the region. The *RTP/SCS* provides objectives for meeting air pollution emissions reduction targets set forth by the California Air Resources Board (CARB); these objectives were provided in direct response to Senate Bill 375 (SB 375) which was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. The Subregional Sustainable Communities Strategies identifies the Project Site as being located in an area with a "Standard Suburban" land use pattern, which is defined as auto-oriented development with a minimal mix of land uses (SCAG, 2020c, p. 45)⁶.

2.5 EXISTING PHYSICAL SITE CONDITIONS

CEQA Guidelines Section 15125(a)(1), recommends that the physical environmental condition that existed at the time an EIR's NOP is released for public review normally be used as the comparative baseline for the EIR analysis. The NOP for this EIR was released for public review on July 23, 2021, and the following subsections include a description of the Project Site's physical environmental condition ("existing conditions") as of that approximate date. More information regarding the Project's site's environmental setting is provided in the specific subsections of EIR Section 4.0, *Environmental Analysis*.

2.5.1 LAND USE

Under existing conditions, the entire Project Site is developed/disturbed and used for the outdoor storage of trailers, construction equipment, and construction materials. The Project Site also contains 10 one-story structures and outbuildings used for storage and offices for the businesses operating on the site.

Pursuant to CEQA Guidelines Section 15125(d), the environmental setting should identify any inconsistencies between a proposed project and applicable general, specific, or regional plans. The Project Applicant proposes to develop the Project Site with a light industrial building containing warehouse/storage space and supporting office space. The Applicant's proposal is not consistent with the Project Site's existing General Plan and Gateway Specific Plan land use designations of "GC" and "F-C," respectively, that apply to the southern

⁵ Southern California Association of Governments, 2021. *About Us*. <https://scag.ca.gov/about-us>.

⁶Southern California Association of Governments, 2020. *Sustainable Communities Strategy*. Available on-line at: https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_sustainable-communities-strategy.pdf?1606002097.



portion of the Site and would necessitate changing the land use designations applied to this portion of the Project Site to “BP” and “I-P,” respectively. The principal discretionary actions required of the City to implement the Project are described in detail in EIR Section 3.0, *Project Description*. The potential environmental effects associated with the Project’s inconsistency with existing land use designations are evaluated in Section 4.0, *Environmental Analysis*, of this EIR.

2.5.2 AESTHETICS AND TOPOGRAPHIC FEATURES

The Project Site slopes gently from northwest to southeast and is perceived to be moderately flat; the site’s high point is approximately 1,085 feet above mean sea level (amsl) in the northwestern portion of the site and its low point as approximately 1,058 amsl in the southeastern portion of the Project Site (Google Earth, 2021)⁷. Figure 3-3, *USGS Topographic Map*, in EIR Section 3.0, *Project Description*, depicts the Project Site’s existing topographic conditions. As shown on Figure 2-4 through Figure 2-6, the entire Project Site is covered by structures, pavement, gravel, or cleared, packed dirt and is used for parking and equipment/materials storage, with chain link fencing around the Project Site perimeter. There are no rock outcroppings or other unique topographic or aesthetic features present on the property.

2.5.3 AIR QUALITY AND CLIMATE

The Project Site is located in the 6,745-square-mile South Coast Air Basin (SCAB), which includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. The SCAB is bound by the Pacific Ocean to the west and the San Gabriel, San Bernardino, the San Jacinto Mountains to the north and east, and San Diego County to the south. The SCAB is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD), the agency charged with bringing air quality in the SCAB into conformity with federal and State air quality standards. Although the climate of the SCAB is characterized as semi-arid, the air near the land surface is quite moist on most days because of the presence of a marine layer. More than 90% of the SCAB’s rainfall occurs from November through April. Temperatures during the year range from an average minimum of 36°F in January to over 100°F maximum in the summer. During the late autumn to early spring rainy season, the SCAB is subjected to wind flows associated with the traveling storms moving through the region from the northwest. This period also brings five to ten periods of strong, dry offshore winds, locally termed “Santa Ana(s)” each year.

At the regional level, air quality in the SCAB has improved over the past several decades; however, the SCAB is currently not in attainment of State and/or federal standards established for Ozone (O₃; one-hour and eight-hour), particulate matter (PM₁₀ (State standard only) and PM_{2.5}), and Lead (only in Los Angeles County) (Urban Crossroads, 2021a)⁸. No areas of the SCAB exceeded federal or State standards for nitrogen dioxide (NO₂), sulfur dioxide (SO₂), carbon monoxide (CO), or sulfates (ibid.).

Refer to EIR Subsections 4.2, *Air Quality*, and 4.6, *Greenhouse Gas Emissions*, for a more detailed discussion of the existing air quality and climate setting in the Project area.

⁷ Google Earth, 2021. Version 7.3.3.7786. Computer Software.

⁸ Urban Crossroads, 2021. *Birtcher Logistics Center Rialto (MC2020-0031) Air Quality Impact Analysis*. July 13, 2021.



Site Photo 1: From Northern Edge of the Project Site, looking Southeast to Southwest.



Site Photo 2: Northeast of the Project Site, along Willow Ave., looking Southwest to Northwest.

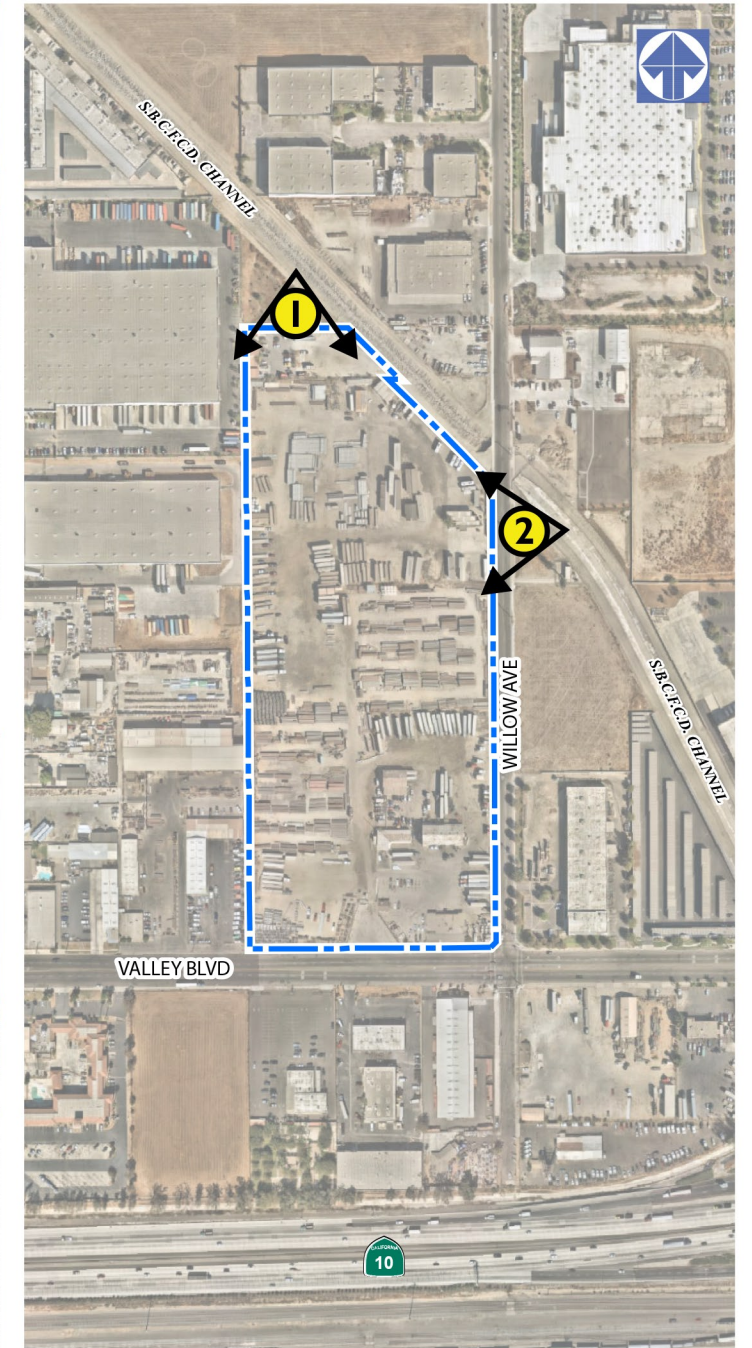


Figure 2-4



Site Photo 3: East of the Project Site, along Willow Ave., looking Southwest to Northwest.



Site Photo 4: Southeast of the Project Site, along Willow Ave., looking Southwest to Northwest.



Figure 2-5



Site Photo 5: South of the Project Site, along Valley Blvd., looking Northwest to Northeast.



Site Photo 6: Southeast of the Project Site, at the intersection of Valley Blvd. & Willow Ave., looking Northwest to Northeast.



Figure 2-6



2.5.4 CULTURAL RESOURCES & TRIBAL CULTURAL RESOURCES

The Project Site is located in an urbanized area that is completely disturbed and developed under existing conditions and has been so for at least 25 years (Google Earth, 2021). Based on archeological records from the South Central Coastal Information Center (SCCIC) at California State University (CSU), Fullerton, no prehistoric artifacts had been recorded previously on the Project Site (BFSA, 2021, p. 1)⁹.

2.5.5 GEOLOGY

Regionally, the Project Site is located in the Upper Santa Ana River Valley, a broad, alluvial-filled valley between the San Gabriel Mountains to the north, the Puente and Chino Hills to the southwest, and the San Jacinto Mountains to the southeast (Avocet, 2019, p. 9)¹⁰. The northern and eastern portion of the Project Site is underlain by young alluvial fan deposits, which contains a low paleontological sensitivity (Rialto, 2010b, Exhibit 4.6.2)¹¹. The remaining Project Site area is underlain by middle to late Pleistocene alluvial fan deposits, which contains a high paleontological sensitivity (ibid).

The geologic structure of the entire southern California area is dominated mainly by northwest-trending faults associated with the San Andreas system. Similar to other properties throughout southern California, the Project Site is located within a seismically active region and is subject to ground shaking during seismic events; however, no known active or potentially active faults exist on or near the Project Site nor is the site situated within an “Alquist-Priolo” Earthquake Fault Zone (SCG, 2021, p. 9)¹².

The Project Site consists of approximately three inches of pavement underlain by artificial fill soils extending to depths of two and half to five and a half feet below the existing grade (SCG, 2021, p. 5). The fill soils are classified as loose to dense fine to medium sands and silty fine sands with varying medium to coarse sand, and fine to coarse gravel content (ibid). Beneath the artificial fill soils is native alluvium extending to at least the maximum depth explored of approximately 25 feet below the existing grades (SCG, 2021, p. 6). The native alluvial soils are classified as medium dense to dense silty sands and sands with varying silt and fine to coarse gravel content, extending to depth of five and half to 12.5 feet (ibid). At depths greater than 25 feet, dense to very dense sands and gravelly sands were encountered (ibid).

2.5.6 HYDROLOGY

The Project Site is located in the Santa Ana River watershed, which drains an approximately 2,840-square-mile area and is the principal surface flow water body within the region. The Santa Ana River starts in Santa Ana Canyon in the southern San Bernardino Mountains and runs southwesterly across San Bernardino, Riverside, and Orange Counties, where it discharges into the Pacific Ocean at the City of Huntington Beach. The Project Site and vicinity are within the purview of the Santa Ana Regional Water Quality Control Board (RWQCB). The Santa Ana RWQCB’s *Santa Ana River Basin Water Quality Control Plan* is the governing

⁹ Brian F. Smith and Associates, 2021. *Cultural Resources Records Search Results for the Valley Boulevard Industrial Project*. January 6, 2021.

¹⁰ Avocet Environmental, 2019. *Phase I Environmental Site Assessment NWC W. Valley Boulevard & S. Willow Avenue Rialto, California 92376*. December 13, 2019.

¹¹ Rialto, City of. *City of Rialto General Plan Update Draft Environmental Impact Report State Clearinghouse Number 2008071100*.

¹² Southern California Geotechnical, 2021. *Geotechnical Investigation Proposed Warehouse NWC Valley Boulevard and South Willow Avenue Rialto, California*. August 18, 2021.



water quality plan for the region, which sets forth goals and objectives for protecting water quality within the region (RWQCB, 2019, p. 1-1)¹³.

Under existing conditions, stormwater flows from the Project Site travel as surface sheet flow from north to southeast to Willow Avenue, which then collects in a catch basin and conveys flows south into a California Department of Transportation (Caltrans) maintained concrete channel, located adjacent to the I-10 Freeway (Thienes, 2021a)¹⁴.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Nos. 06071C8659H and 06071C8678J, dated August 28, 2008, the Project Site is located within FEMA Flood Zone X (unshaded), which is defined as an area with less than a 0.2% chance of annual flood (FEMA, 2008)¹⁵. Flood Zone X (unshaded) is considered to be an area of minimal flood hazard and is not considered a special flood hazard area (ibid).

Refer to EIR Subsection 4.8, *Hydrology & Water Quality*, for a more detailed discussion of the Project's site existing hydrology and water quality setting.

2.5.7 NOISE

Primary sources of noise in the Project Site's vicinity include traffic noise from vehicles traveling along roadways that abut the site (i.e., Valley Boulevard and Willow Avenue). Urban Crossroads, Inc. collected 24-hour noise measurements at three locations in the Project vicinity on June 9, 2021, to determine the baseline for the existing noise environment. Measured daytime noise levels in the area ranged from 57.6 equivalent level decibels (dBA Leq) to 61.6 dBA Leq and nighttime noise levels ranged from 53.4 dBA Leq to 59.5 dBA Leq (Urban Crossroads, 2020e, pp. 20-21).

Refer to EIR Subsection 4.10, *Noise*, for a more detailed discussion of the Project Site's existing noise setting.

2.5.8 TRANSPORTATION

The Project Site is located at the northwest corner of the intersection of Valley Boulevard and Willow Avenue. Existing traffic on nearby roadways consist of both passenger vehicles and trucks passing through the area and accessing nearby land uses. The primary regional vehicular travel route serving the Project area is I-10, which is located approximately 0.15-mile south of the Project Site (Google Earth, 2021). The Project Site is located approximately 0.3-mile northwest of the Riverside Avenue on/off-ramp to I-10 (ibid.). I-10 provides access to I-215, which is located approximately 4.3 miles to the east of the Project Site and I-15, which is located approximately 9.8 miles to the west of the Project Site (ibid.).

There are no existing bicycle lanes along the Project Site or within the Project Site vicinity. According to the City of Rialto General Plan, a Class II bicycle lane is planned along the Project Site's northern boundary

¹³ Regional Water Quality Control Board, 2019. *Water Quality Control Plan Santa Ana River Basin*. https://www.waterboards.ca.gov/santaana/water_issues/programs/basin_plan/index.html.

¹⁴ Thienes Engineering, 2021. *Preliminary Hydrology Calculations for Valley Boulevard Industrial Building Blvd. Between Willow Avenue and Lilac Avenue Rialto, California*. July 6, 2021.

¹⁵ Federal Emergency Management Agency, 2008. *FIRM Nos. 06071C8659H and 06071C8678J*. <https://msc.fema.gov/portal/home>



(Rialto, 2010a, Exhibit 4.4). There are no existing bicycle lanes on Valley Boulevard bordering the Project Site to the south or on Willow Avenue bordering the Project Site to the east (ibid). There is a sidewalk along the Project Site’s frontage with Willow Avenue; no sidewalk is present along the Project Site frontage with Valley Boulevard (Urban Crossroads, 2021f, p. 31)¹⁶.

Public transit service in the region is provided by Omnitrans, a public transit agency that serves various jurisdictions within San Bernardino County (Urban Crossroads, 2021f, p. 25). There are no routes that run adjacent to the Project Site under existing conditions (ibid). The nearest transit route is located approximately 0.3 mile east of the Project Site on Riverside Avenue via Route 22 (Google Earth, 2021).

Refer to EIR Subsection 4.11, *Transportation*, for a more detailed discussion of the Project Site’s existing transportation setting.

2.5.9 UTILITIES AND SERVICE SYSTEMS

Rialto Water Services provides water and sewer service to the Project area. Under existing conditions, water mains are installed beneath Valley Boulevard and Willow Avenue and a sewer main is installed beneath Willow Avenue. The City of Rialto conveys wastewater flows to the Rialto Wastewater Treatment Plant (RWTP). Solid waste from the City of Rialto is disposed at Mid-Valley Landfill.

Refer to EIR Subsection 4.13, *Utilities & Service Systems*, for a more detailed discussion of the Project Site’s existing public utility and service systems.

2.5.10 VEGETATION COMMUNITIES

The Project Site is completely disturbed and developed under existing conditions and has been so for at least 25 years (Google Earth, 2021). The entire Project Site is covered by structures, pavement, gravel, or cleared, packed dirt and is used for parking and equipment/materials storage. No natural habitats for plant communities or wildlife species are present on the Project Site – although the Project Site does contain approximately 12 non-native, ornamental trees – and the Project Site is not adjacent to any natural, undeveloped areas.

2.5.11 WILDLIFE

The Project Site is disturbed and does not support native wildlife. The Project Site is located in an urbanized area – paved roads, fencing, and developed land surrounding the Project Site block terrestrial wildlife movement from all directions – and the site is not located adjacent to open space areas (Google Earth, 2021).

2.5.12 RARE AND UNIQUE RESOURCES

As required by CEQA Guidelines Section 15125(c), the environmental setting should place special emphasis on resources that are rare or unique to that region and would be affected by the project. Based on the existing conditions of the Project Site and surrounding area described above and discussed in more detail in Section 4.0, *Environmental Analysis*, the Project Site does not contain any resources that are rare or unique to the region.

¹⁶ Urban Crossroads, 2021. *Birtcher Logistics Center Rialto (MCN2020-0031) Traffic Analysis*. June 13, 2021.



3.0 PROJECT DESCRIPTION

This section provides all of the information required of an EIR Project Description by CEQA Guidelines Section 15124, including a description of the Project’s precise location and boundaries; a statement of the Project’s objectives; a description of the Project’s technical, economic, and environmental characteristics; and a description of the intended uses of this EIR (including a list of the government agencies that are expected to use this EIR in their decision-making processes); a list of the permits and approvals that are required to implement the Project; and a list of related environmental review and consultation requirements.

3.1 PROJECT LOCATION

The approximate 21.0-acre Project Site is located in the southeast portion of the City of Rialto, San Bernardino County, California (refer to Figure 3-1, *Regional Map*). The City of Rialto is located east of the City of Fontana and the unincorporated community of Bloomington, west of the Cities of San Bernardino and Colton, northwest of the City of Grand Terrace and unincorporated community of Highgrove, and north of the City of Riverside.

At the local scale, the Project Site is located at the northwest corner of the intersection of Valley Boulevard and Willow Avenue (refer to Figure 3-2, *Vicinity Map*, and Figure 3-3, *USGS Topographic Map*). The approximately 21.0-acre Project Site includes four parcels: Assessor Parcel Numbers (APNs) 0254-261-14, 0264-261-17, 0132-201-03, and 0132-181-01. Refer to EIR Subsection 2.3, *Surrounding Land Uses*, for a description of existing land uses that abut the Project Site.

3.2 STATEMENT OF OBJECTIVES

The fundamental purpose and goal of the Birtcher Logistics Center Rialto Project is to develop a modern warehouse distribution building in the City of Rialto in close proximity to the State highway system, to increase employment opportunities and improve the City’s economic competitiveness. This underlying purpose aligns with various aspects of the SCAG’s *2020-2045 RTP/SCS*, primarily related to accommodating goods movement industries and balancing job and housing opportunities in local areas to reduce long commutes from home to work. SCAG identifies the Inland Empire as a housing rich area and coastal communities as job rich areas and is striving in their policies to achieve more equal balances locally. The Project would achieve its underlying purpose and goal through the following objectives.

- A. To expand economic development, facilitate job creation, and increase the tax base for the City of Rialto by establishing new industrial development adjacent to established and planned industrial areas.
- B. To attract employment-generating businesses to the City of Rialto which will reduce the need for members of the local workforce to commute outside the area for employment, thereby improving the jobs-housing balance in the City.
- C. To develop a Class A warehouse distribution building that is designed to meet contemporary industry standards and be economically competitive with similar industrial buildings in the local area and region.



- D. To attract businesses that can expedite the delivery of essential goods to consumers and businesses in the City of Rialto and beyond.
- E. To develop a project that has architectural design and operational characteristics that complement existing nearby land uses.
- F. To develop a warehouse distribution building in close proximity to designated truck routes and the State highway system to avoid or shorten truck-trip lengths on other roadways.
- G. To redevelop an underutilized property that has access to available infrastructure, including roads and utilities.

3.3 PROJECT COMPONENTS

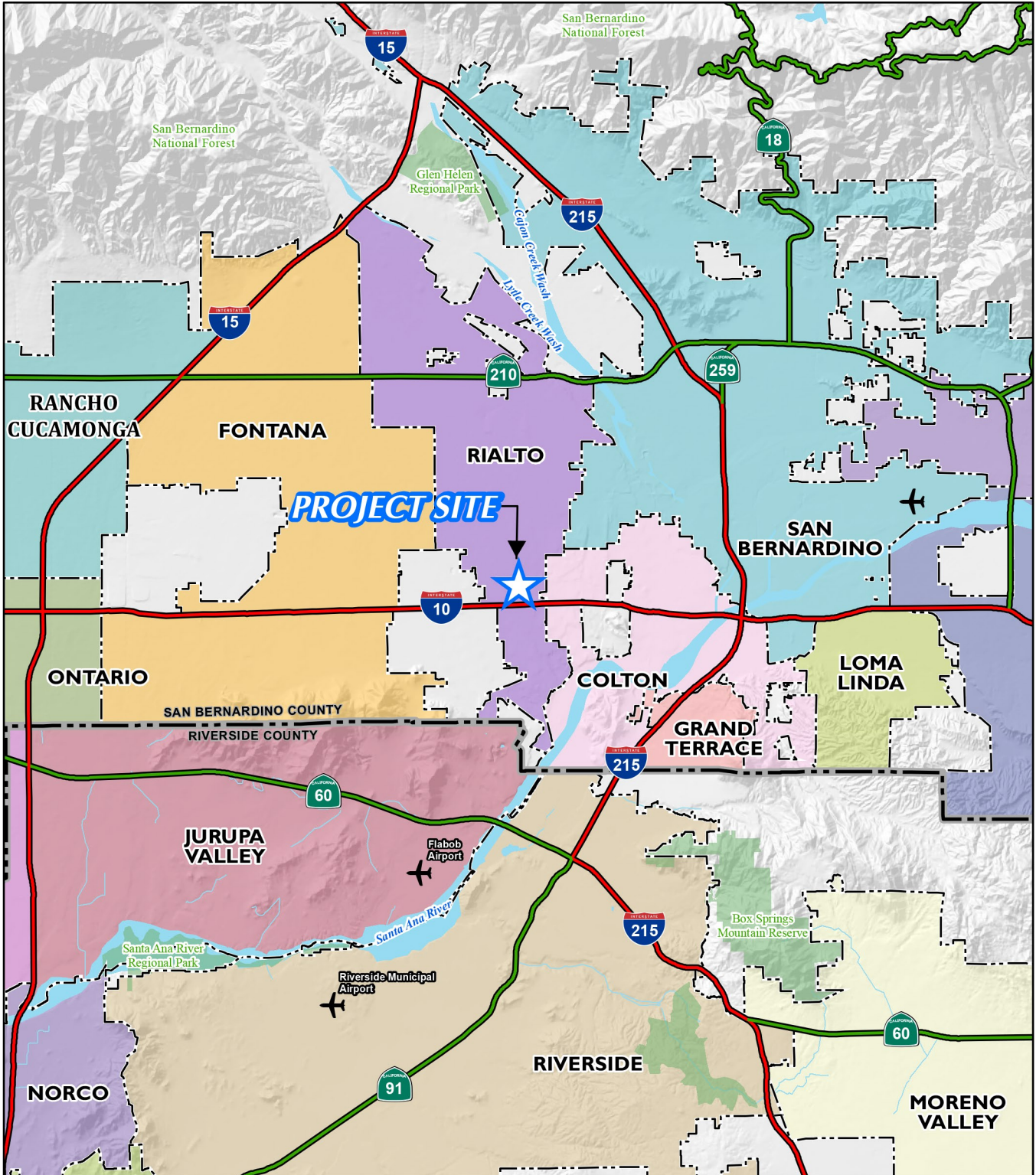
The proposed Project includes construction of a warehouse distribution building totaling building approximately 492,410 s.f. with 482,410 s.f. of warehouse floor space and 10,000 s.f. of ancillary office floor space. The proposed building would rise to approximately 49 feet tall. The Project evaluated in this EIR includes legislative and site development actions. The legislative actions entail a proposed General Plan Amendment (GPA No. 2020-0001) and Specific Plan Amendment (SPA No. 2020-0001). The general intent of the proposed legislative actions is to change the land use designation for a portion of the Project Site from a commercial category to an industrial category (the other portions of the Project Site already are designated for industrial land uses and do not require a change). The Project’s site development actions entail a proposed Conditional Development Permit (CDP No. 2020-0006), Precise Plan of Design (PPD No. 2020-0012), Variance (VAR No. 2020-0001), and Lot Merger No. 2021-0002 to permit the development and operation of a light industrial building containing warehouse/storage space and supporting office space. The individual components of the Project are discussed below.

3.3.1 GENERAL PLAN AMENDMENT

The proposed General Plan Amendment would amend the City of Rialto’s Land Use Policy Plan (General Plan Exhibit 2.2) to change the land use designation for the southern, approximately 8.5 acres of the Project Site from “G-C” to “B-P” (refer to Figure 3-4, *Proposed General Plan Amendment No. 2020-0001*). The northern, approximately 11.6 acres of the Project Site already are designated “B-P” under existing conditions and do not require amendment. Pursuant to the City’s General Plan, the “B-P” land use designation allows a mix of commercial, office, research and development, laboratories, and light industrial uses developed in a complementary manner and displaying high-quality architecture and site design. The maximum floor area ratio (FAR) for “B-P” land uses is 0.5. (Rialto, 2010a, p. 2-9)

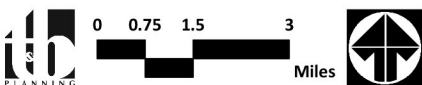
3.3.2 SPECIFIC PLAN AMENDMENT

The proposed Specific Plan Amendment would amend the Land Use Plan for the Gateway Specific Plan to change the land use designation for the southern, approximately 8.5 acres of the Project Site from “F-C” to “I-P” (refer to Figure 3-5, *Proposed Specific Plan Amendment No. 2020-0001*). The northern, approximately 11.6 acres of the Project Site already are designated I-P under existing conditions and do not require amendment. As provided by the Gateway Specific Plan, the I-P area allows light industrial and warehousing uses that would be “good neighbors” for upscale retail, office, and freeway commercial uses and for the existing residential areas adjoining the area (Rialto, 1990, p. 4-2).

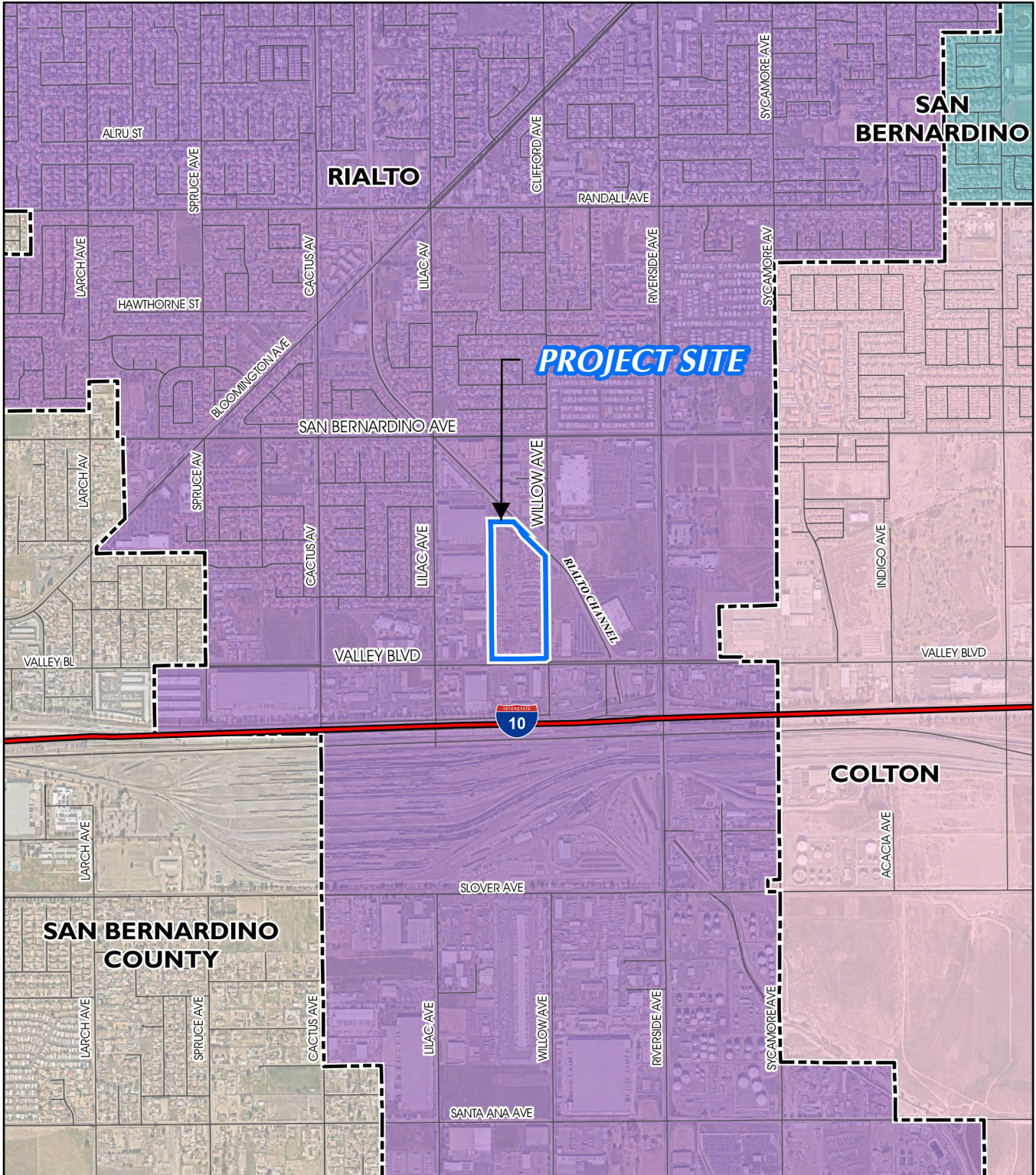


Source(s): ESRI, RCTLMA (2021), SB County (2020), SCAG (2021)

Figure 3-1



Regional Map

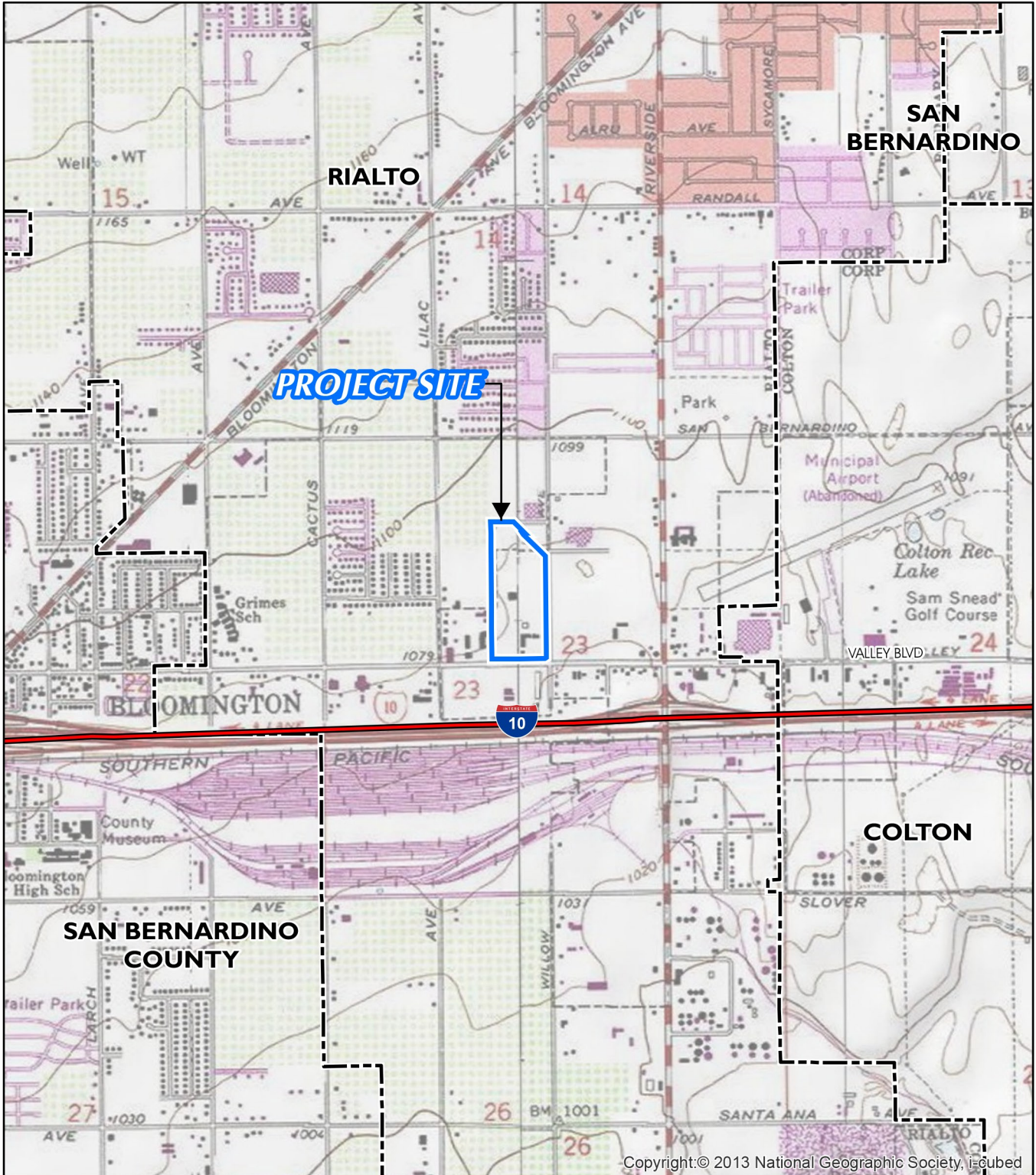


Source(s): ESRI, Nearmap Imagery (2021), SB County (2020), SCAG (2021)

Figure 3-2



Vicinity Map

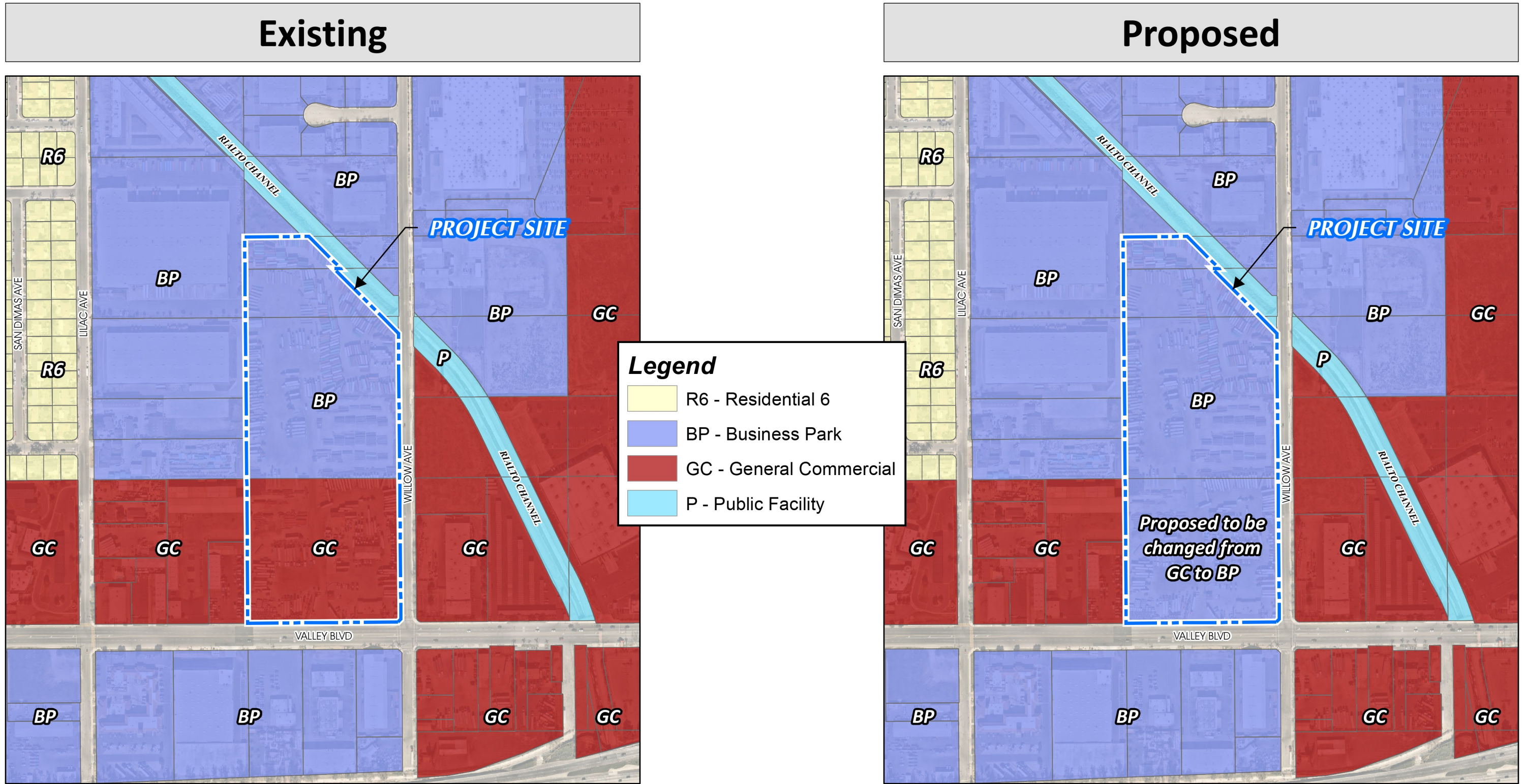


Source(s): ESRI, USGS (2013)

Figure 3-3



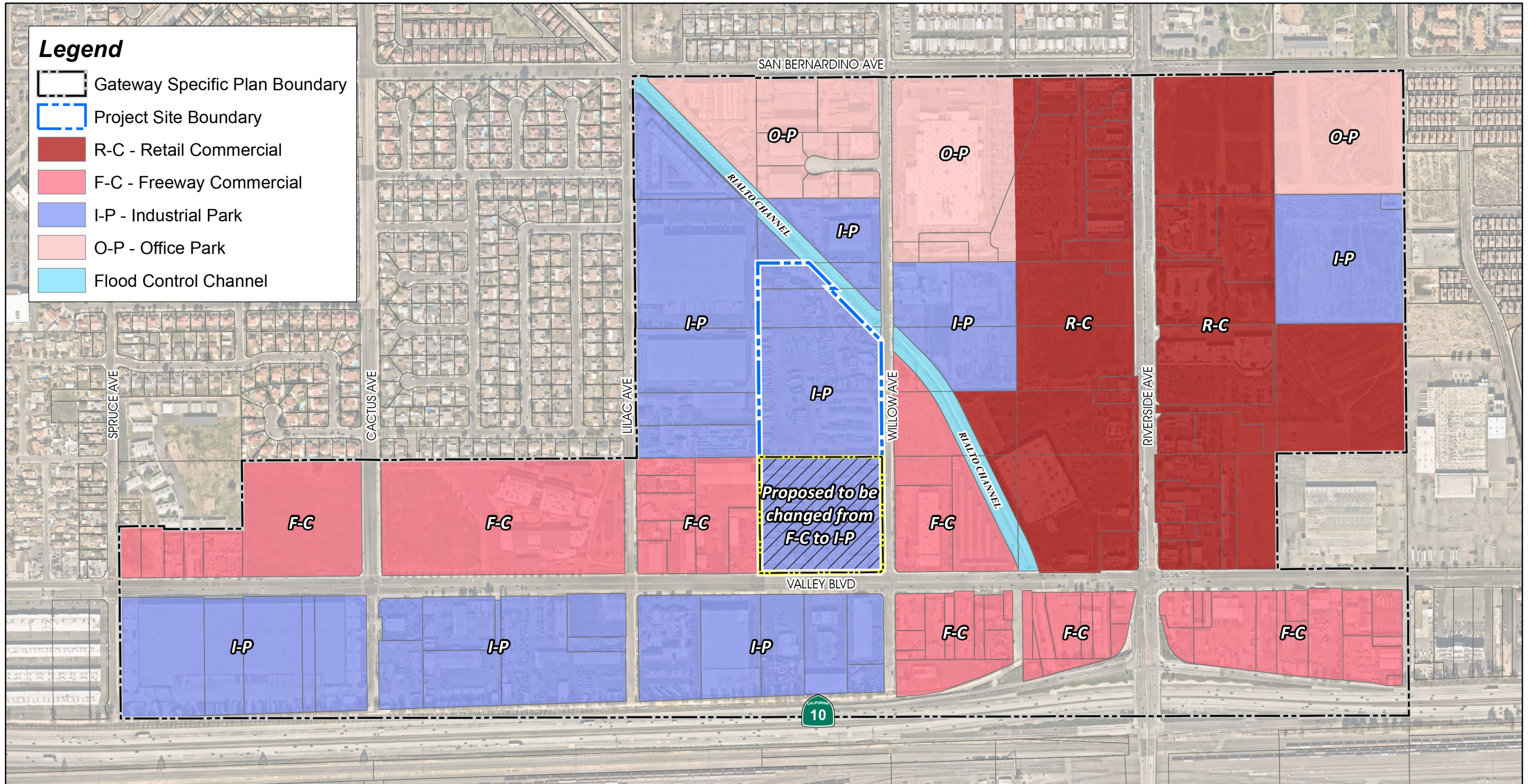
USGS Topographic Map



Source(s): City of Rialto (2010), ESRI, Nearmap Imagery (2021), SB County (2020)

Figure 3-4





Source(s): City of Rialto (2010), ESRI, Nearmap Imagery (2021), SB County (2020)

Figure 3-5





3.3.3 CONDITIONAL DEVELOPMENT PERMIT & PRECISE PLAN OF DESIGN

The proposed Conditional Development Permit and Precise Plan of Design provide a comprehensive plan, including site layout, architectural design, and landscape plan, for the development and operation of warehouse distribution building on the Project Site, as described below.

A Site Layout

The site plan for the Project Site is illustrated on Figure 3-6, *Proposed Site Plan*. The proposed building provides approximately 492,410 s.f. of total floor area, including 482,410 s.f. of warehouse floor space and 10,000 s.f. of ancillary office floor space. An office space would be provided at the southwest corner of the building. A second, optional, office space could be provided at the northwest corner of the building. The office spaces could be one or two floors. The proposed site plan provides a truck court/loading area on the west side of the building. The truck court/loading area includes 62 loading docks and 104 truck trailer parking spaces. A 14-foot-tall solid masonry screen wall and a metal gate would screen views the truck court/loading area from Valley Boulevard and Willow Avenue. Access to the Project Site would be provided by two driveways from Valley Boulevard. The westernmost driveway on Valley Boulevard would serve passenger cars and trucks and would allow for full access (no turning movement restrictions) into and out of the site. The westernmost driveway on Valley Boulevard also would include two approximately 230-foot-long on-site entry lanes that could be used for tractor-trailer queuing allowing approximately 6 tractor-trailers to queue on-site. The eastern driveway on Valley Boulevard would serve passenger cars only and would be restricted to right-in/right-out vehicle movements. The Project also includes one driveway on Willow Avenue, which accommodates full access for passenger cars and trucks into and out of the site. The driveway at Willow Avenue also would include two approximately 300-foot-long on-site entry lanes allowing 8 tractor-trailers to queue on-site.

B Architecture Plan

The proposed building would have a maximum exterior height of approximately 49 feet (measured from finished floor to top of the parapets) with an interior clear height of approximately 40 feet (refer to *Figure 3-7, Proposed Architectural Elevations*). The building would feature a varied roofline for visual interest and to minimize the perceived bulk and scale of the building, so portions of the building would be less than 49 feet tall. The building would be constructed of concrete tilt-up panels and low-reflective, grey glass. The building's exterior color palette would be comprised primarily of shades of white and gray with golden yellow used as an accent. Decorative building elements include panel reveals, parapets, mullions, and canopies are proposed at office entries.

C Landscape Plan

Existing trees and vegetation on the Project Site are proposed to be removed and replaced with the plant material specified on the proposed landscape plan for the Project, which is illustrated on Figure 3-8, *Proposed Landscape Plan*. Proposed landscaping primarily would be ornamental and would feature evergreen and flowering trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers. Trees, shrubs, and groundcover plantings would be focused along the Project Site's frontages with Valley Boulevard and Willow Avenue, as well as the building entries to screen the proposed structure (refer to Figure 3-9, *Proposed Landscape Screening*). Landscaping also would be provided within and around the vehicle parking areas on the southern portion of the Project Site.



Prior to the issuance of a building permit to construct the proposed building shell, the Project Applicant would be required to submit final planting and irrigation plans to the City for review and approval. The plans are required to comply with Chapter 12.50 and Section 18.61.70 of the Rialto Municipal Code, which establishes requirements for landscape design, automatic irrigation system design, and water-use efficiency (Rialto, 2021, Chapter 12.50 and Section 18.61.70)¹.

3.3.4 VARIANCE

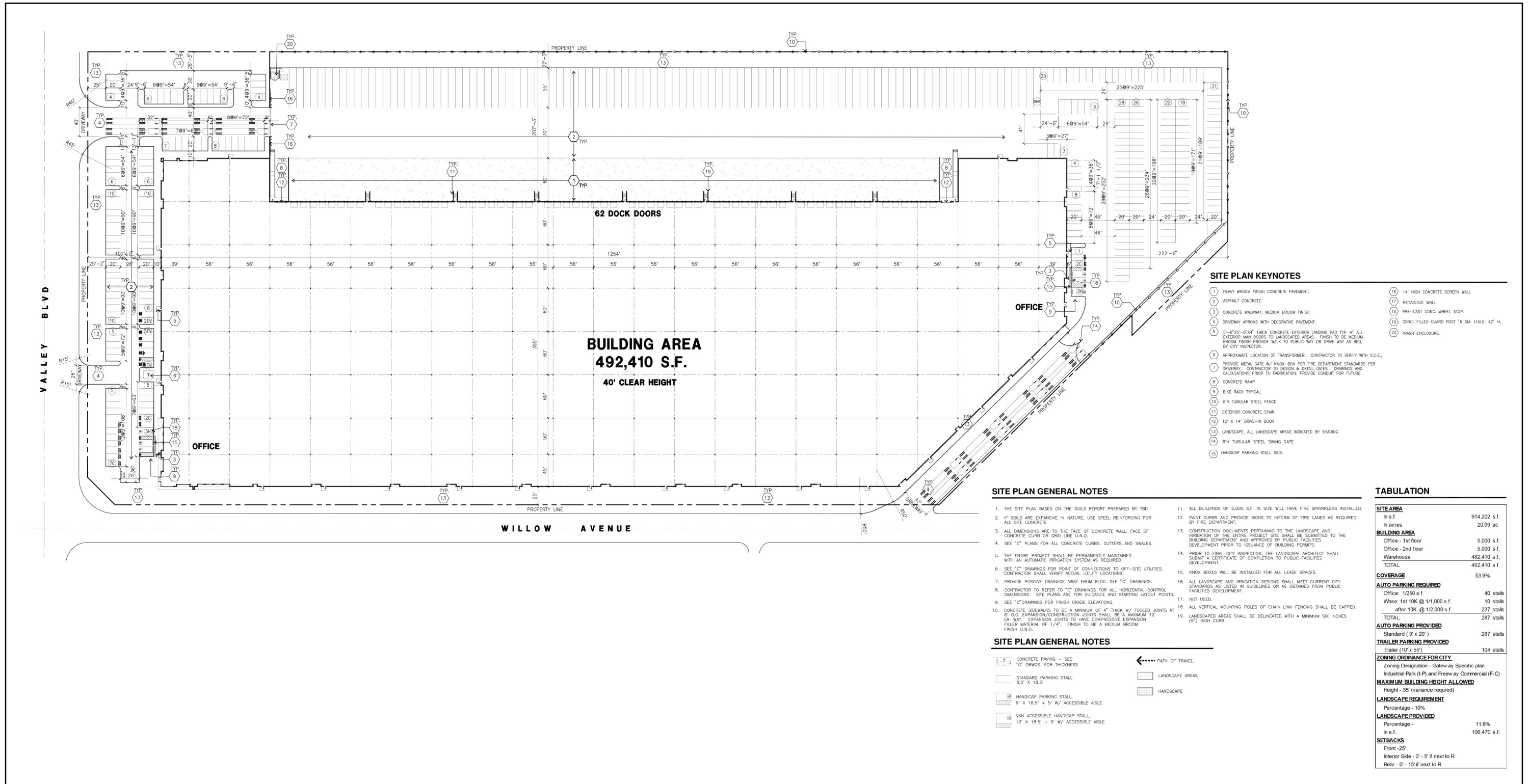
The proposed Project would rise to approximately 49 feet tall, exceeding the 35-foot height limit of the Gateway Specific Plan, Industrial Zone. The proposed Variance would allow the proposed warehouse distribution building to exceed the Specific Plan’s height limit. When the Gateway Specific Plan was adopted 31 years ago, the technological advances and modern business practices of today’s warehouse distribution industry could not be contemplated and the variance to the height limit is required to ensure the proposed building can provide an interior clear height that meets the needs of modern warehouse distribution users.

In addition, the proposed Variance would allow the Project to eliminate a landscape strip along portions of the Project Site boundary abutting the Rialto Channel, which is less than the 10-foot-wide landscape strip along all property boundaries required by Municipal Code Section 18.61.250(E). The reduction in landscaping along segments of the northern Project Site boundary is necessary to accommodate a request from the City for an additional access lane for inbound trucks (a total of two inbound lanes are provided) so that truck queueing will occur on-site and not spill onto Willow Avenue.

3.3.5 LOT MERGER

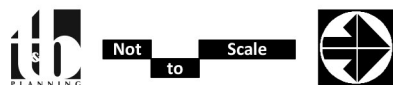
The proposed Lot Merger would combine the subject property’s four existing parcels – APNs 0254-261-14, 0254-261-17, 0132-201-03, and 0132-181-01 – into a single parcel.

¹ Rialto, City of. *City of Rialto Municipal Code*. March 29, 2021. https://library.municode.com/ca/rialto/codes/code_of_ordinances.



Source(s): HPA (05-26-2021)

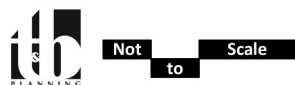
Figure 3-6





Source(s): HPA (04-21-2021)

Figure 3-7

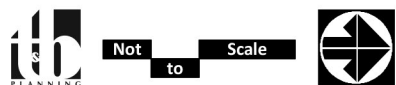


Proposed Architectural Elevations

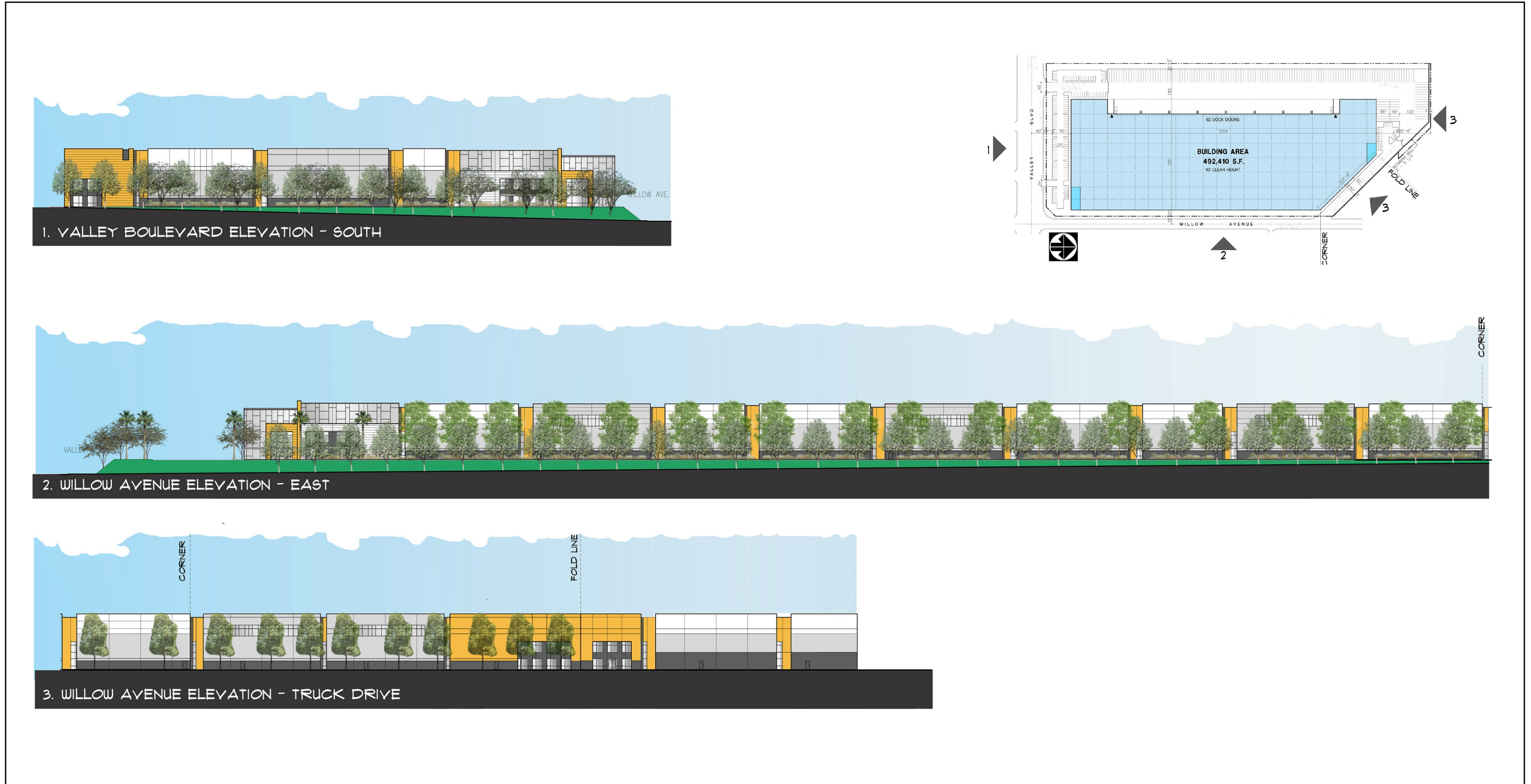


Source(s): Hunter Landscape (04-29-2021)

Figure 3-8

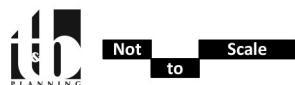


Proposed Landscape Plan



Source(s): HPA (04-21-2021)

Figure 3-9





3.4 INFRASTRUCTURE IMPROVEMENTS

A Public Street Improvements

The Project Site abuts two existing public streets: Valley Boulevard to the south and Willow Avenue to the east. As part of Project construction, the Project Applicant would make improvements to each of these streets as described below.

Valley Boulevard

The Project would widen the travel way by 5 feet and would install curb and gutter, an approximately 7-foot-wide landscape park strip, and a 5-foot-wide sidewalk along the northern half of Valley Boulevard segment that abuts the Project Site. With the proposed improvements, the northern half of Valley Boulevard would be constructed to its ultimate half-width.

Willow Avenue

Under existing conditions, the western half of the Willow Avenue segment that abuts the Project Site is improved to its ultimate half-section. The Project would not make any alternations to the existing Willow Avenue segment fronting the Project Site with the exception of the closure of the Site's existing driveways to Willow Avenue, which would require the installation of new curb and gutter and sidewalk at the locations where the driveways would be removed.

Valley Boulevard and Willow Avenue Intersection

The Project would modify the northwest and northeast corners of the Valley Boulevard and Willow Avenue intersection to ensure safe turning movements for trucks traveling to and from the Project Site. At the northwest corner of the intersection: 1) the curb line would be pulled back and modified to a 50-foot radius; 2) the existing sidewalk, accessibility ramp, and curb and gutter would be demolished and replaced at the new curb line; 3) the existing traffic signal and signal pole would be re-located; 4) the existing fire hydrant would be relocated; and 5) existing utilities – storm drain headwall and pipe, electrical cabinet, telecommunications pull box – would be re-located. At the northeast corner of the intersection: 1) the curb line would be pulled back and the modified to a 35-foot radius; 2) the existing sidewalk, accessibility ramp, and curb and gutter would be demolished and replaced at the new curb line; 3) the existing traffic signal and signal pole would be re-located; and 4) two power poles (one with a street light) would be re-located.

B Water and Sewer Infrastructure Improvements

The Project would connect to an existing 8-inch-diameter water main beneath Valley Boulevard and an existing 10-inch-diameter water main beneath Willow Avenue for domestic (interior) water service and fire protection water service. The Project would connect to an existing 18-inch-diameter sewer main beneath Willow Avenue for wastewater conveyance service. All proposed water and wastewater connections installed as part of the proposed Project are required to be designed and constructed in accordance with City of Rialto standards. Figure 3-10, *Proposed Utility Plan*, illustrates the Project's proposed water and wastewater conveyance system. An existing septic tank located on the northern portion of the Project Site would be removed as part of the Project construction.



C Stormwater Drainage Infrastructure Improvements

The Project’s stormwater drainage system consists of a network of on-site catch basins and underground storm drain pipes to capture and convey storm water runoff across the Project Site to an underground infiltration chamber located on the western portion of the Project Site (refer to Figure 3-11). The system is designed to collect, treat, and temporarily detain on-site stormwater runoff before discharging treated flows off-site. Specifically, “first flush” flows (i.e., typically the first ¼-inch of initial surface runoff after a rainstorm, which contains the highest proportion of waterborne pollution) would be diverted to the underground infiltration chamber for percolation. Storm water runoff would be pre-treated via a hydrodynamic separator – which separates floatable waterborne pollution (trash, debris and oil) and settleable particles, like sediment, from stormwater – prior to discharge to the underground infiltration chamber. Stormwater runoff captured after the first flush would be discharged off-site via a connection to a new public storm drain. The new public storm drain would be installed beneath Willow Avenue abutting the southeast corner of the Project Site and would extend south where it would connect to an existing drainage channel on the north side of I-10.

Under existing conditions, storm water runoff flows onto the Project Site from a property that abuts the Site on the west. A catch basin would be installed on the Project Site at the location where the off-site flow enters the property and captured flows would be conveyed across the site via an underground storm drain before discharging into Valley Boulevard.

D Dry Utilities

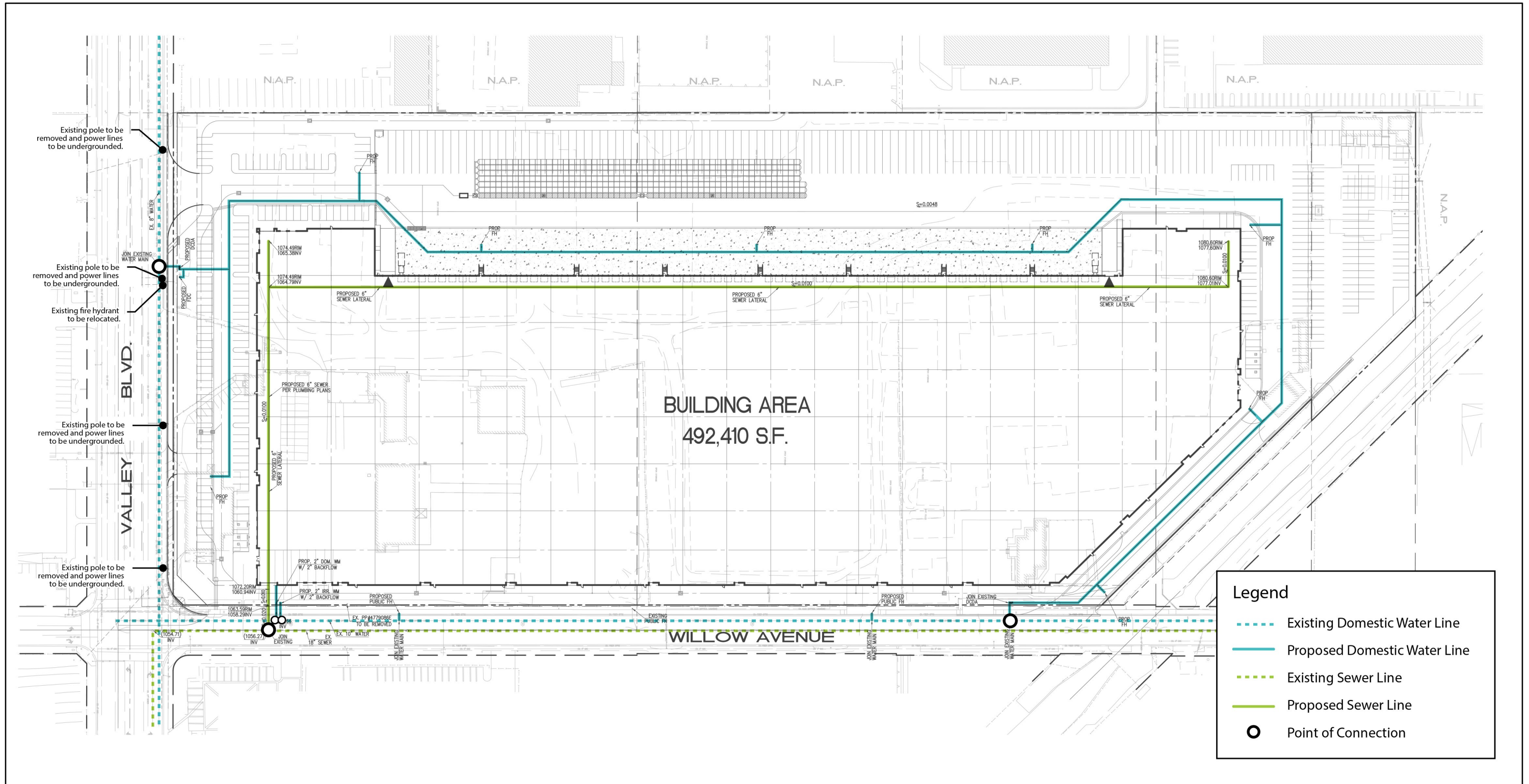
The Project would remove existing power poles on the north side of Valley Boulevard and the west side of Willow Avenue, abutting the Project Site. The existing above-ground electric transmission lines suspended on the poles would be undergrounded as part of the Project’s construction. The removal of the power poles and the undergrounding of the transmission lines would be performed in coordination with Southern California Edison.

3.5 PROJECT CONSTRUCTION CHARACTERISTICS

The Project Applicant anticipates that the Project’s construction process will span a length of approximately 14 months. The estimated Project construction schedule, organized by construction stage, is summarized in Table 3-1, *Estimated Construction Schedule*. For purposes of analysis in this EIR, construction is assumed to commence in April 2022 and finish in June 2023.

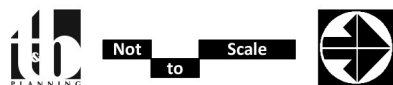
Table 3-1 Estimated Construction Schedule

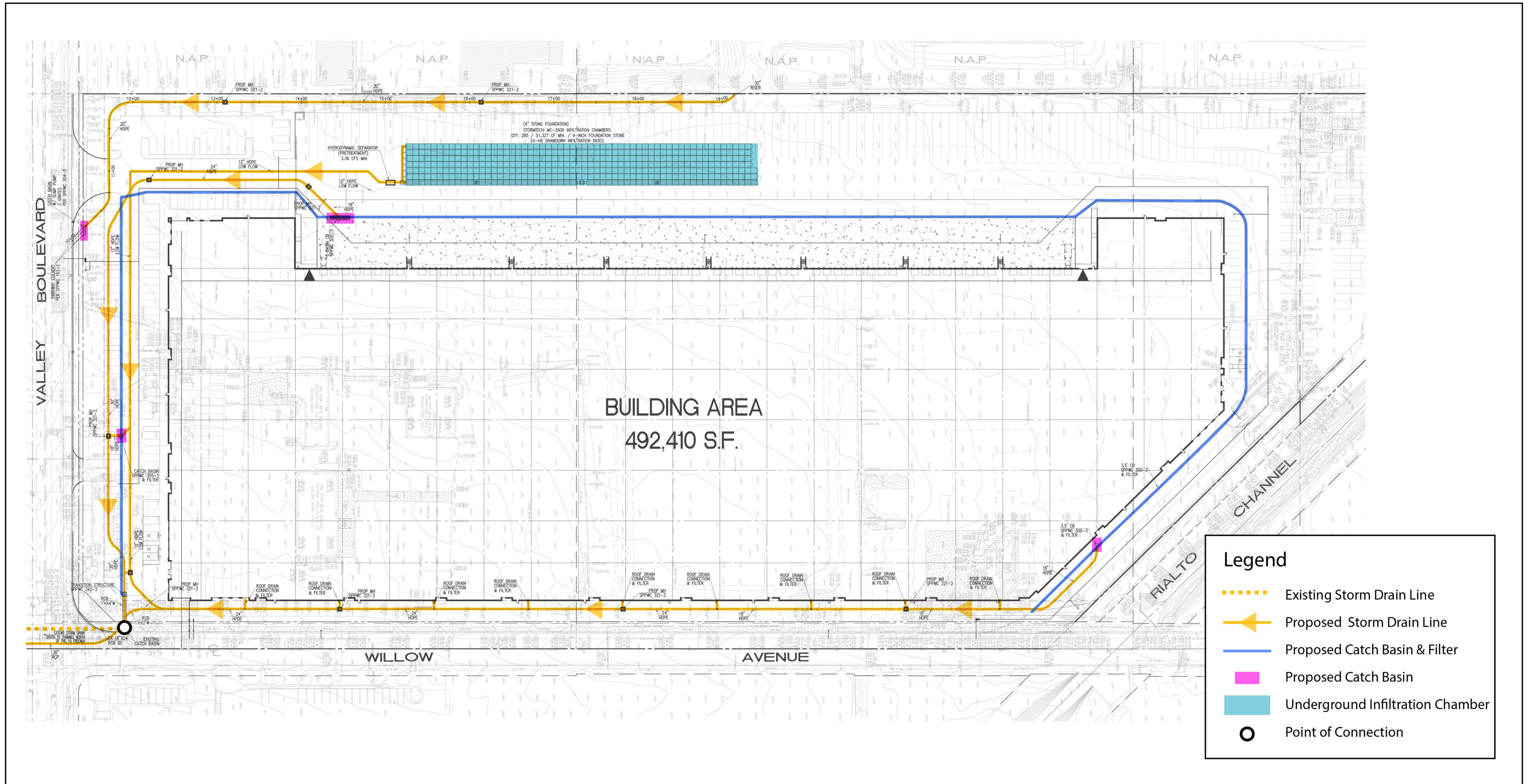
Phase Name	Start Date	End Date	Days
Demolition/Crushing	04/01/2022	04/28/2022	20
Site Preparation	04/29/2022	05/12/2022	10
Grading	05/13/2022	06/30/2022	35
Building Construction	07/01/2022	06/30/2023	261
Paving	06/03/2023	06/30/2023	20
Architectural Coating	03/18/2023	06/30/2023	75



Source(s): Thienes Engineering, Inc. (05-05-2021)

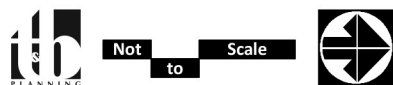
Figure 3-10





Source(s): Thienes Engineering, Inc. (05-04-2021)

Figure 3-11



Proposed Drainage Plan



Construction workers would travel to the site by passenger vehicle and materials deliveries would occur by medium- and heavy-duty trucks. Construction equipment is conservatively expected to operate on the Project Site up to eight hours per day, six days per week. Even though construction activities are permitted to occur between 7:00 ante meridiem (a.m. [before noon]) to 5:30 post meridiem (p.m. [after noon]) on Mondays through Fridays from October 1st through April 30th, 6:00 a.m. to 7:00 p.m. from May 1st through September 30th, and 8:00 a.m. to 5:00 p.m. on Saturdays pursuant to the Rialto Municipal Code (Section 9.50.070), construction equipment is not in continuous use and some pieces of equipment are used only periodically throughout a typical day of construction. Thus, eight hours of daily use per piece of equipment is a conservative and reasonable assumption for the Project’s construction. The City allows nighttime construction activities only upon special agreement between a project applicant and the City, pursuant to Rialto Municipal Code Section 9.50.060(L). Because Project construction would include activities that have the potential to occur at night (i.e., concrete pouring, which benefits from air temperatures that are lower than those that occur during the day), the analysis in this EIR conservatively assumes nighttime concrete pouring would occur during the course of Project construction.

The proposed Project would result in approximately 74,093 cubic yards of cut and 74,093 cubic yards of fill (refer to Figure 3-11, *Proposed Grading Plan*). Based on the shrinkage characteristics of on-site soils, earthwork is expected to balance and no import or export of soil is required. When grading is complete, the highest point of the Project Site would be located at its northwest corner (approximately 1,084 feet above mean sea level [amsl]) and the lowest point would be located at the southeast corner (approximately 1,063 feet amsl). The Project’s grading concept utilizes manufactured slopes and retaining walls at different areas of the Project Site; manufactured slopes would be constructed at a maximum incline of 2:1 and retaining walls would not exceed the height allowable by the Rialto Municipal Code.

The composition of the construction equipment fleet that the Project Applicant intends to use to construct the Project, which also is used for purposes of analysis is in this EIR, is summarized in Table 3-2, *Estimated Construction Equipment Fleet*.

Table 3-2 Estimated Construction Equipment Fleet

Phase Name	Equipment	Amount	Hours Per Day
Demolition/Crushing	Concrete/Industrial Saws	2	8
	Crushing/Proc. Equipment	2	8
	Excavators	5	8
	Rubber Tired Dozers	4	8
Site Preparation	Crawler Tractors	7	8
	Rubber Tired Dozers	5	8
Grading	Crawler Tractors	4	8
	Excavators	4	8
	Graders	2	8
	Rubber Tired Dozers	2	8
	Scrapers	4	8
Building Construction	Cranes	2	8



Phase Name	Equipment	Amount	Hours Per Day
	Crawler Tractors	5	8
	Forklifts	5	8
	Generator Sets	2	8
	Welders	2	8
Paving	Pavers	4	8
	Paving Equipment	4	8
	Rollers	4	8
Architectural Coating	Air Compressors	2	8

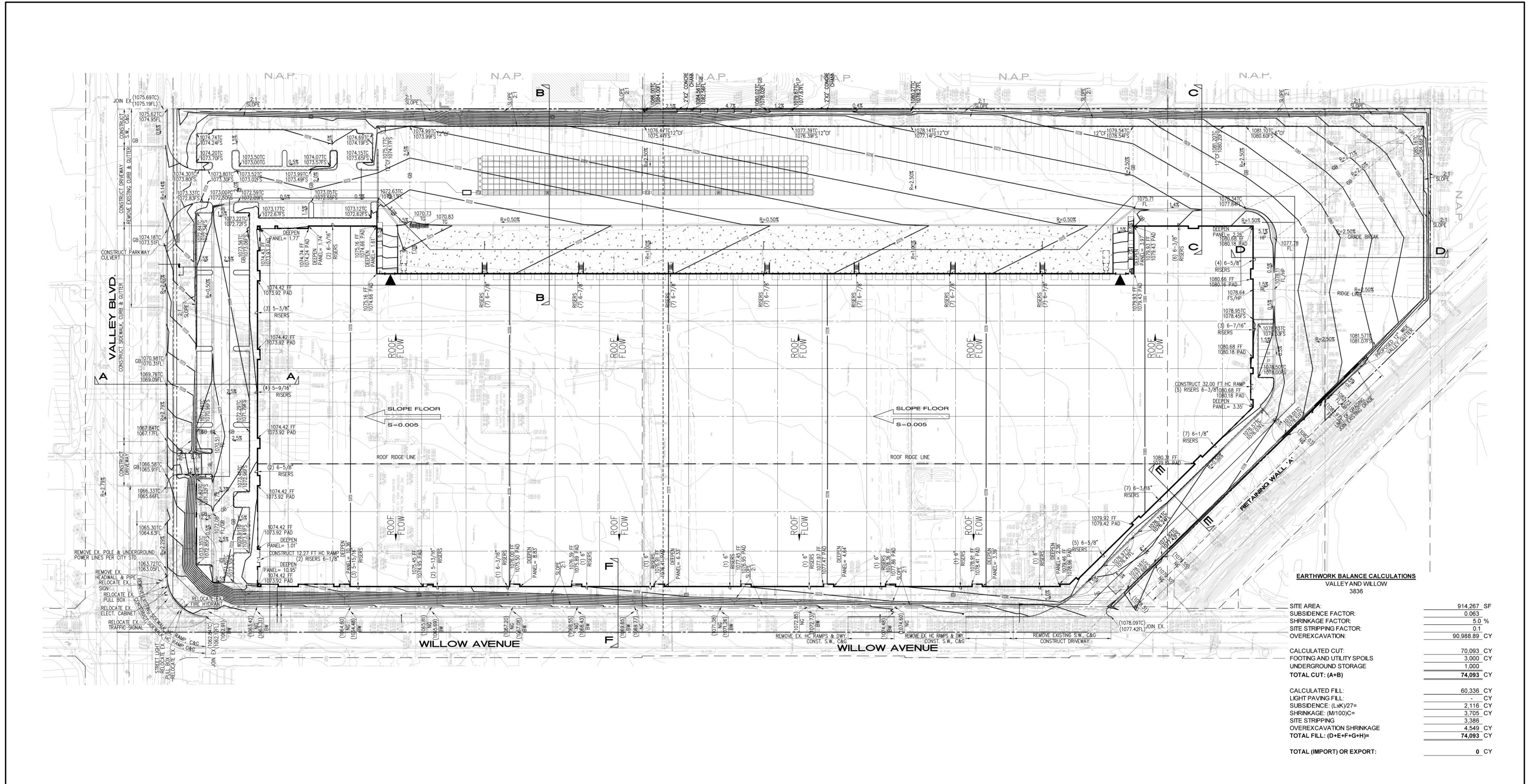
3.6 PROJECT OPERATIONAL CHARACTERISTICS

The Project would operate as an indoor storage facility. The building’s interior floor space could be subdivided with partitions/walls to allow the building to be occupied by more than one user. The Project is proposed as a speculative development and the user(s) of the building are not known at this time. The Project is expected to be used by a warehouse distribution/logistics operator(s) for the storage of consumer goods. Hazardous materials storage is not expected to occur within the building or on the Project Site; however, small quantities of hazardous chemicals and/or materials – including but not limited to aerosols, cleaners, fertilizers, lubricants, paints or stains, fuels, propane, oils, and solvents – could be utilized during routine Project operations and maintenance.

The proposed building is designed such that business operations would be conducted within the enclosed building, with the exception of traffic movement, parking, and the loading and unloading of tractor-trailers at designated loading bays. As a practical matter, dock doors on industrial buildings are not occupied by a truck at all times of the day. There are typically many more dock door positions on industrial buildings than are needed for receiving and shipping volumes. The dock doors that are in use at any given time are usually selected based on interior building operation efficiencies. In other words, trucks ideally dock in the position closest to where the goods to be carried by the truck are inside the building. As a result, a number of dock door positions are frequently inactive throughout the day. No outdoor materials storage is proposed for the Project Site. The Project is assumed to be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night. Exterior lighting would be subject to compliance with Rialto Municipal Code Section 9.08.100, which states that all outdoor lighting associated with nonresidential uses shall not exceed one-foot-candle at any property line.

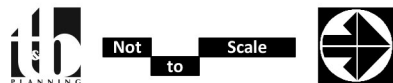
The Project is estimated to create 542 full-time equivalent jobs (DPFG, 2021)². When accounting for seasonal, part-time, and full-time positions, the Project is estimated to create 639 total jobs (ibid.). During operation, employees, visitors, and vehicles hauling goods will travel to and from the Project Site on a daily basis.

² Development Planning & Financing Group, 2021. *Birtcher – Executive Summary of Economic Analysis*. March 2021.



Source(s): Thienes Engineering, Inc. (05-04-2021)

Figure 3-12



Proposed Grading Plan



3.7 CITY REVIEW PROCESS

The City has primary approval responsibility for the proposed Project. As such, the City serves as the Lead Agency for this EIR pursuant to CEQA Guidelines Section 15050. The City’s Planning Commission will evaluate this EIR and the Project Applicant’s requested discretionary applications (General Plan Amendment, Specific Plan Amendment, Conditional Development Permit, Precise Plan of Design, Variance, and Lot Merger). The Planning Commission will make a recommendation to the City Council whether the Project should be approved and this EIR should be certified. The City Council is the decision-making authority for the Project and will consider the Project along with the Planning Commission’s recommendations and will make a final decision to approve, approve with changes, or deny the Project. The City will consider the information contained in this EIR and the Project’s Administrative Record in its decision-making processes.

In the event of approval of the Project and certification of the EIR, the City would conduct administrative reviews and grant ministerial permits and approvals for plans that substantially conform to the plans approved by the City Council in order to implement Project requirements and conditions of approval. In the event of substantial modifications to the plans approved by the City Council, the modified plans will be reviewed and considered before the responsible City hearing body subject to the applicable provisions outlined in the Rialto Municipal Code.

A list of the actions under City jurisdiction is provided in Table 3-3, *Project Related Approvals/Permits*. In addition, additional discretionary and/or administrative actions will be necessary from other government agencies to fully implement the Project. Table 3-3 lists the government agencies that are expected to use the Project’s EIR during their consultation and review of the Project and its implementing actions and provides a summary of the subsequent actions associated with the Project.



Table 3-3 Project Related Approvals/Permits

Public Agency	Approvals and Decision
Proposed Project – City of Rialto Discretionary Approvals	
City of Rialto Planning Commission	<ul style="list-style-type: none"> Recommend approval, conditional approval, or denial of General Plan Amendment No. 2020-0001, Specific Plan Amendment No. 2020-0001, Conditional Development Permit No. 2020-0006, Precise Plan of Design No. 2020-0012, Variance No. 2020-0001, and Lot Merger No. 2021-0002 Recommend that the City Council reject or certify this EIR along with appropriate CEQA Findings.
City of Rialto City Council	<ul style="list-style-type: none"> Approve, conditionally approve, or deny General Plan Amendment No. 2020-0001, Specific Plan Amendment No. 2020-0001, Conditional Development Permit No. 2020-0006, Precise Plan of Design No. 2020-0012, Variance No. 2020-0001, and Lot Merger No. 2021-0002. Reject or certify this EIR along with appropriate CEQA Findings.
Subsequent City of Rialto Discretionary and Ministerial Approvals	
City of Rialto Implementing Approvals	<ul style="list-style-type: none"> Approve Final Maps, parcel mergers, or parcel consolidations, as may be appropriate. Approve precise site plan(s) and landscaping/irrigation plan (s), as may be appropriate. Issue Grading Permits. Issue Building Permits. Approve Road Improvement Plans. Approved Water and Sewer Infrastructure Plans. Issue Encroachment Permits. Accept public right-of-way dedications. Approve Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP).
Other Agencies – Subsequent Approvals and Permits	
Santa Ana Regional Water Quality Control Board	<ul style="list-style-type: none"> Issuance of a Construction Activity General Construction Permit. Issuance of a National Pollutant Discharge Elimination System (NPDES) Permit. Approval of WQMP
Department of Toxic Substances Control	<ul style="list-style-type: none"> Oversight of potentially hazardous conditions on the Project Site. Issuance of a “No Further Action” letter.
Southern California Edison	<ul style="list-style-type: none"> Approvals required to remove power poles and underground aerial facilities
San Bernardino County Department of Public Health	<ul style="list-style-type: none"> Approval for septic tank removal
San Bernardino County Flood Control District	<ul style="list-style-type: none"> Issuance of encroachment permit for use of Rialto Channel service road to facilitate construction of on-site retaining wall.



4.0 ENVIRONMENTAL ANALYSIS

4.0.1 SUMMARY OF EIR SCOPE

In accordance with CEQA Guidelines Sections 15126-15126.4, this EIR Section includes analyses of potential direct, indirect, and cumulatively-considerable impacts that could result from the planning, construction, and/or operation of the proposed Project.

An Initial Study was prepared to identify the environmental issues that may be adversely impacted by the Project and would be addressed in this EIR (refer to *Technical Appendix A*). The City made the Initial Study, dated July 2021, available on their website for general public review, with a review period of 30 days beginning on July 23, 2021, and mailed a Notice of Preparation (NOP) to public agencies and interested individuals to solicit input on the scope of study for this EIR. The City also held an EIR Scoping Meeting on August 12, 2021 to inform the public of the Project and the environmental review process and how to submit comments on the scope and range of environmental concerns to be addressed in this EIR. Taking all known information disclosed in the Project’s Initial Study and all comments received by the City in response to the NOP and the EIR Scoping Meeting, this EIR provides a detailed analysis of the Project’s potential to cause adverse effects under the 13 primary environmental subject areas, as listed below. Each subsection evaluates several specific topics related to the primary environmental subject. The title of each subsection is not limiting; therefore, refer to each subsection for a full account of the specific subject matters addressed therein.

- | | | | |
|-----|-------------------------------|------|-----------------------------|
| 4.1 | Aesthetics | 4.8 | Hydrology & Water Quality |
| 4.2 | Air Quality | 4.9 | Land Use & Planning |
| 4.3 | Cultural Resources | 4.10 | Noise |
| 4.4 | Energy | 4.11 | Transportation |
| 4.5 | Geology & Soils | 4.12 | Tribal Cultural Resources |
| 4.6 | Greenhouse Gas Emissions | 4.13 | Utilities & Service Systems |
| 4.7 | Hazards & Hazardous Materials | | |

Based on the information disclosed in the Initial Study and after consideration of all comments received and documented in the City’s administrative record, the City concluded that the Project clearly has no potential to result in significant impacts under seven primary environmental subject areas: Agriculture & Forestry Resources, Biological Resources, Mineral Resources, Population & Housing, Public Services, Recreation, and Wildfire. These seven subjects are addressed in Section 5.0, *Other CEQA Considerations*.

4.0.2 SCOPE OF CUMULATIVE EFFECTS ANALYSIS

CEQA requires that an EIR contain an assessment of the cumulative impacts that may be associated with a proposed project. As noted in CEQA Guidelines Section 15130(a), “an EIR shall discuss cumulative impacts of a project when the project’s incremental effect is cumulatively considerable.” “A cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects creating related impacts” (CEQA Guidelines Section 15130(a)(1)). As defined in CEQA Guidelines Section 15355:



‘Cumulative Impacts’ refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

- (a) The individual effects may be changes resulting from a single project or a number of separate projects.*
- (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.*

CEQA Guidelines Section 15130(b) describes two acceptable methods for identifying a study area for purposes of conducting a cumulative impact analysis. These two approaches include: “1) a list of past, present, and probable future projects producing related or cumulative impacts, including if necessary, those projects outside the control of the agency [‘the list of projects approach’], or 2) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact [‘the summary of projections approach’].”

The summary of projections approach is used in this EIR, except for the evaluation of cumulative transportation effects (for purposes of demonstrating General Plan policy compliance) and vehicular-related air quality, greenhouse gas, and noise impacts, for which the analysis combines the summary of projections approach with the manual addition of past, present, and reasonably foreseeable projects (“combined approach”). The City determined the combined approach to be appropriate because long-range planning documents contain a sufficient amount of information to enable an analysis of cumulative effects for all subject areas, except for transportation (and vehicular-related air quality, greenhouse gas, and noise effects), which requires a greater level of detailed study. With the combined approach, the cumulative impact analyses for the air quality, greenhouse gas, noise, and transportation issue areas overstate the Project’s potential cumulatively considerable impacts relative to analyses that rely solely on the list of projects approach or solely on the summary of projections approach; therefore, the combined approach provides a conservative, “worst-case” analysis for the Project’s contribution to cumulative air quality, greenhouse gas, noise, and transportation impacts.

The list of projects used to supplement the summary of projections approach includes known approved and pending development projects in relative proximity to the Project Site and includes the 37 other known past, present, and reasonably foreseeable projects described in Table 4.0-1, *List of Cumulative Projects*, and illustrated on Figure 4.0-1, *Cumulative Projects Location Map*, in addition to the summary of projections.



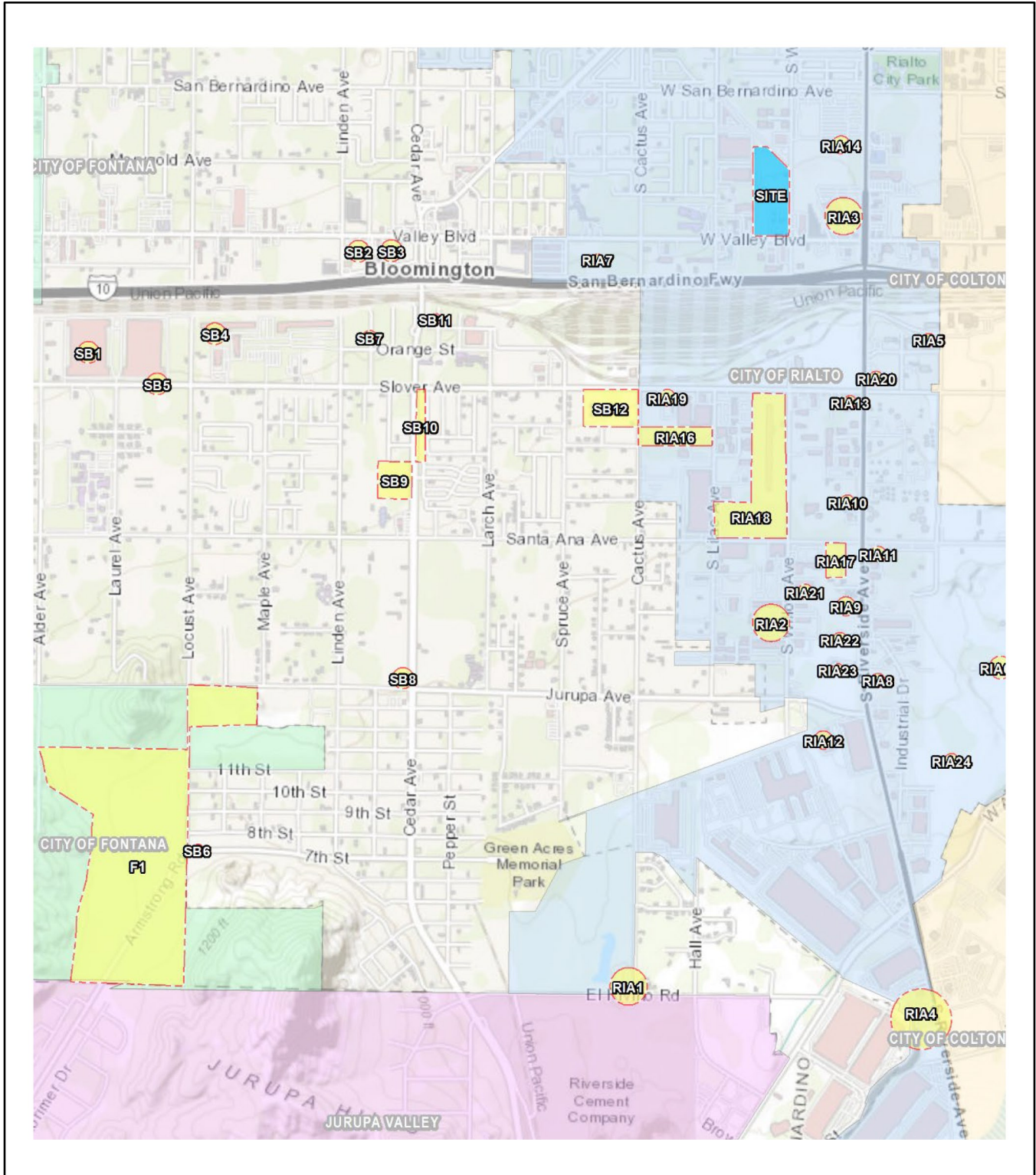
Table 4.0-1 List of Cumulative Projects

ID	Project Name	Land Use	Quantity	Units ¹
City of Rialto:				
RIA1	Panattoni I-10 (Cactus Av. & El Rivino Rd.)	Warehouse	2,475.745	TSF
RIA2	CapRock III	Warehouse	582.000	TSF
RIA3	Newmark Merrill Companies	Discount Super Store	198.000	TSF
		Tire Store	9.861	TSF
		Retail	25.436	TSF
		Fast Food w/ Drive-Thru	5.484	TSF
RIA4	Kore Infrastructure	Biosolids Facility	288	TPD
RIA5	NEC of Sycamore Av. and Cameron Wy.	Trucking	-- ²	--
RIA6	South of Santa Ana Av., East of Riverside Av.	Warehouse	370.000	TSF
RIA7	South of Valley Bl., West of Cactus Av.	Warehouse	-- ²	--
RIA8	SEC of Riverside Av. and Industrial Dr.	Trucking	-- ²	--
RIA9	NWC of Riversid Av. and Industrial Dr.	Truck Drop	-- ²	--
RIA10	NWC of Riverside Av. and Santa Ana Av.	Warehouse	527.900	TSF
RIA11	SEC of Riverside Av. and Santa Ana Av.	Super Convenience Market/Gas Station	16	VFP
		Diesel Station	2	VFP
RIA12	South of Jurupa Av., West of Riverside Av.	FedEx	-- ²	--
RIA13	SWC of Riverside Av. & Slover Av.	Speciality Retail & Fast Food w/ Drive-Thru	8.510	TSF
RIA14	North of Valley Bl., West of Riverside Av.	Warehouse	-- ²	--
RIA15	South of Slover Av., East of Cactus Av.	Wheeler Trucking	-- ²	--
RIA16	Lilac Avenue Warehouse	Warehouse	47.460	TSF
RIA17	SC Fuels (19839 Santa Ana Avenue)	Warehouse	48.302	TSF
RIA18	Old Dominion Freight Line Expansion	Truck Trailer Yard	407	Spaces
RIA19	Flyers Energy Addition	Warehouse	9.350	TSF
RIA20	Onyx Paving	Contractor's Yard	0.770	AC
RIA21	Bakery Addition	Bakery	14.000	TSF
RIA22	Lynn Trucking	Truck Parking Yard	3.070	AC
		Car Wash/Repair	8.827	TSF
RIA23	Riverside Pallet Yard	Pallet Yard	3.580	AC
RIA24	Angelus Black - Concrete Block	Manufacturing	178.475	TSF
County of San Bernardino:				
SB1	NWC of Slover Av. and Locust Av.	Fast Food Restaurant With Drive-Thru	3.265	TSF
		Retail Store	7.200	TSF
		Warehouse	20.750	TSF
SB2	SEC of Linden Av. and Valley Bl.	Fast Food Restaurant	1.500	TSF
SB3	Valley Bl., West of Linden Av.	Office Building	0.250	AC
SB4	Linden Av., north of Slover Av.	Tire Store	3.000	TSF
SB5	Slover Av. between Locust Av. and Laurel Av.	High-Cube Warehouse	344.000	TSF
SB6	Locust Av. and 7th St.	Single Family Residential	198	DU
SB7	NEC and NWC of Cedar Av. and Orange St.	Warehouse	395.000	TSF
SB8	NWC of Cedar Av. and Jurupa Av.	High-Cube Warehouse	677.000	TSF
SB9	Cedar Truck Yard	Truck Storage	8.940	AC
SB10	Cedar / Slover Retail	Super Convenience Market/Gas Station	12	VFP
		Automated Car Wash	1.000	Tunnel
		Fast Food Restaurant With Drive-Thru	9.907	TSF
SB11	Cedar Avenue Technology Center	Warehouse	184.770	TSF
SB12	Cactus and Slover Warehouse	Warehouse	257.855	TSF
City of Fontana:				
F1	West Valley Logistics Center	High-Cube Transload & Short-Term Storage	3183.100	TSF
		Warehouse	290.590	TSF

¹ DU = Dwelling Units; TSF = Thousand Square Feet; AC = Acres; TPD = Tons Per Day; VFP = Vehicle Fueling Positions
² Quantity and land use unknown. City of Rialto provided estimated trips and PCE AM and PM.

Source: (Urban Crossroads, 2021c, Table 4-6)¹

¹ Urban Crossroads, 2021. *Birtcher Logistics Center Rialto (MCN2020-0031) Traffic Analysis*. December 20, 2021.



Source(s): Urban Crossroads (12-03-2021)

Figure 4.0-1



Not to Scale





For the cumulative impact analyses that rely on the summary projections approach (i.e., all issue areas with the exception of traffic and vehicular-related air quality, greenhouse gas, and noise – as described in the preceding pages), the cumulative study area primarily includes the Cities of Rialto, Fontana, Colton, and Jurupa Valley and the unincorporated community of Bloomington. These jurisdictions encompass the southwestern area of San Bernardino County and northwestern area of Riverside County, and have similar environmental characteristics as the Project area. The selected study area encompasses the central San Bernardino Valley, which is largely bounded by prominent topographic landforms, such as the San Gabriel Mountains and San Bernardino Mountains to the north, the San Jacinto Mountains to the east, the Temescal Mountains and Santa Ana Mountains to the south, and the Pomona Valley to the west. This study area exhibits similar characteristics in terms of climate, geology, and hydrology and, therefore, is likely to also have similar biological, archaeological, and tribal cultural resource characteristics as well. This study area also encompasses the service areas of the Project Site’s primary public service and utility providers. Areas outside of this study area either exhibit topographic, climatological, or other environmental circumstances that differ from those of the Project area, or are simply too far from the proposed Project Site to produce environmental effects that could be cumulatively-considerable when considered together with the Project’s impacts. Exceptions include the cumulative air quality analysis, which considers the entire SCAB; the greenhouse gas emissions and global climate change analysis, which affects all areas on the planet; and the analysis of potential cumulative hydrology and water quality effects, which considers other development projects located within the Santa Ana River Basin watershed.

Environmental impacts associated with buildout of the Project’s cumulative study area were evaluated in CEQA compliance documents prepared for the respective General Plans covering the cumulative study area. The location where each of these CEQA compliance documents is available for review is provided below. All of the CEQA compliance documents listed below are herein incorporated by reference pursuant to CEQA Guidelines Section 15150.

- City of Rialto General Plan EIR (SCH No. 2008071100), available for review at the City of Rialto Community Development Department, 150 South Palm Avenue, Rialto, CA 92376;
- San Bernardino Countywide Plan Final Program EIR (SCH No. 2017101033), available for review at the County of San Bernardino Land Use Services Department – Planning Division, 385 North Arrowhead Avenue, 1st Floor San Bernardino, CA 92415-0182;
- Fontana Forward General Plan Update 2015-2035 Final Environmental Impact Report (SCH No. 2016021099), available for review at the City of Fontana Planning Department, 8353 Sierra Avenue Fontana, CA 92335;
- City of Colton General Plan EIR (SCH No. 2012031037), available for review at the City of Colton Development Services Department, 659 North La Cadena Drive, Colton, CA 92324; and
- County of Jurupa Valley General Plan Draft EIR (SCH No. 2016021025), available for review at the City of Jurupa Valley Planning Department, 8930 Limonite Avenue, Jurupa Valley, CA 92509.



4.0.3 ANALYSIS FORMAT

Subsections 4.1 through 4.13 of this EIR evaluate the 13 environmental subjects warranting detailed analysis as identified by the City of Rialto in consideration of preliminary research findings, public comments, and technical study. The format of discussion is standardized as much as possible in each section for ease of review. The environmental setting is discussed first, followed by a discussion of the potential environmental impacts that would result from implementation of the Project (which is based on specified thresholds of significance used as criteria to determine whether potential environmental effects are significant).

The thresholds of significance used in this EIR are based on the thresholds presented in CEQA Guidelines Appendix G and as applied by the City. The thresholds are intended to assist the reader of this EIR in understanding how and why this EIR reaches a conclusion that an impact would or would not occur, is significant, or is less than significant.

Serving as the CEQA Lead Agency for this EIR, the City is responsible for determining whether an adverse environmental effect identified in this EIR should be classified as significant or less than significant. The standards of significance used in this EIR are based on the independent judgment of the City, taking into consideration CEQA Guidelines Appendix G, the City General Plan, the Rialto Municipal Code and adopted City policies, the judgment of the technical experts that prepared this EIR's Technical Appendices, performance standards adopted, implemented, and monitored by regulatory agencies, and significance standards recommended by regulatory agencies.

As required by CEQA Guidelines Section 15126.2(a), Project-related effects on the environment are characterized in this EIR as direct, indirect, cumulatively considerable, short-term, long-term, on-site, and/or off-site impacts. A summarized "impact statement" is provided in each subsection following the analysis. Each subsection also includes a discussion or listing of the applicable regulatory criteria (laws, policies, regulations) that the Project and its implementing actions are required to comply with (if any). If impacts are identified as significant after mandatory compliance with regulatory criteria, feasible mitigation measures are presented that would either avoid the impact or reduce the magnitude of the impact. For any impact identified as significant and unavoidable, the City would be required to adopt a statement of overriding considerations pursuant to CEQA Guidelines Section 15093 in order to approve the Project despite its significant impact(s) to the environment. The statement of overriding considerations would list the specific economic, legal, social, technological, and other benefits of the Project, supported by substantial evidence in the Project's administrative record, that would outweigh the unavoidable impacts.



4.1 AESTHETICS

This Subsection describes the aesthetic qualities and visual resources present on the Project Site and in the site’s vicinity, and evaluates the potential effects that the Project may have on these resources. Descriptions of existing visual characteristics, both on-site and in the vicinity of the Project Site, and the analysis of potential impacts to aesthetic resources are based on field observations and site photographs collected by T&B Planning, Inc. in December 2020; analysis of aerial photography (Google Earth Pro, 2021); and the Project’s proposed site, architecture, and landscaping plans (as described in Section 3.0, *Project Description*, of this EIR). This Subsection also is based on information contained in the Aesthetics section of the certified Final Program EIR prepared for the City of Rialto’s General Plan (SCH No. 2008071100) (Rialto, 2010b), and the Rialto Municipal Code (Rialto, 2021). All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.1.1 EXISTING CONDITIONS

A Project Site and Surrounding Areas

The Project Site is located at the northwest corner of the intersection of Valley Boulevard and Willow Avenue in the southeastern portion of the City of Rialto. Under existing conditions, the Project area is heavily urbanized with commercial office, industrial, and warehouse uses surrounding the Project Site as described below and under EIR Subsection 2.3, *Surrounding Land Uses*.

- North: Vacant, undeveloped land abuts the Project Site to the north. A man-made storm drain channel (Rialto Channel) also abuts a portion of the Project Site to the north. Farther north is vacant, undeveloped land and property occupied by industrial/warehouse buildings.
- South: Immediately to the south of the Project Site is Valley Boulevard. On the south side of Valley Boulevard is a vacant industrial building, a building housing several auto repair workshops, and an office building.
- West: Properties abutting the Project Site on the west are occupied by a variety of uses, including warehouse buildings, truck parking, construction materials fabrication and storage.
- East: Immediately east of the Project Site is Willow Avenue. East of Willow Avenue is vacant, undeveloped land and an industrial building.

Topographically, the Project Site is perceived as flat but, actually, slopes gently from a high point of approximately 1,085 feet amsl at the northwestern portion of the Site to a low point of approximately 1,058 feet amsl at the southeastern portion of the Site. There are no rock outcroppings or unique topographic features on the Project Site. Although the Project Site contains approximately 12 non-native, ornamental trees, the Project Site also does not contain any prominent plant materials or landscaping.

Pursuant to CEQA Guidelines Section 15125 and explained in EIR Section 2.0, *Environmental Setting*, the physical environmental condition for purposes of establishing the setting of this EIR is the environment as it existed at the time the EIR’s NOP was released for public review. The NOP for this EIR was released on July 21, 2021. As of that date, the entire Project Site was developed/disturbed and used for the outdoor storage of trailers, construction equipment, and construction materials, with several structures and outbuilding used to



support the on-site businesses. Figure 4.1-1 through Figure 4.1-3 illustrate the photographic inventory of the Project Site and are relied upon herein to describe the Project Site's existing aesthetic condition and character.

These photographs provide a representative visual depiction of the site's visual characteristics as seen from surrounding public viewing areas, which consist of public roads adjacent to the Project Site. The photographs were all taken during the same session and reflect a field of view approximately five (5) feet above the ground. No substantial aesthetic changes occurred on the Project Site or vicinity between the time the photographs used herein were collected in December 2020 and the time the EIR's NOP was released on July 21, 2021.

B Scenic Vistas and Scenic Resources

The Project Site is located within a relatively flat valley floor surrounded by rugged hills and mountains. As shown on Figures 4.1-1 through 4.1-3, the Project Site does not contain any scenic resources such as buildings or landscaping of aesthetic value, or any landforms of visual interest.

According to the City of Rialto General Plan, scenic vistas and picturesque views that are visible from certain parts of the City (Rialto, 2010a). Major scenic resources in the City that contribute to scenic vistas include the San Gabriel Mountains to the north and northwest, the San Bernardino Mountains to the northeast and east, and the Jurupa Hills to the southwest. Distant views of the San Gabriel Mountains, San Bernardino Mountains, and Jurupa Hills are available from public viewing areas in the Project Site vicinity; however, these views are not prominent from the Project area (Google Earth Pro, 2021).

C Light and Glare

Artificial light is associated with the evening and nighttime hours, and sources may include streetlights, illuminated signage, and vehicle headlights. Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass or reflective materials, and, to a lesser degree, from broad expanses of light-colored surfaces. Glare can also be produced during evening and nighttime hours by artificial light directed toward a light-sensitive land use.

The Project Site contains minimal sources of artificial, exterior lighting under existing conditions. Artificial light is associated with evening and nighttime hours and include, but are not limited to sources such as streetlights, illuminated signage, and vehicle headlights. Artificial lighting sources occur in the immediate vicinity of the Project Site, with the most notable sources of light emanating from street lights along the northern side of Valley Boulevard and eastern side of Willow Avenue, and from developed properties to the north, east, west, and south of the Project Site. Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass or reflective materials, and to a lesser degree, from broad expanses of light-colored surfaces. Glare can be produced during evening and nighttime hours by artificial light.



Site Photo 1: From Northern Edge of the Project Site, looking Southeast to Southwest.



Site Photo 2: Northeast of the Project Site, along Willow Ave., looking Southwest to Northwest.

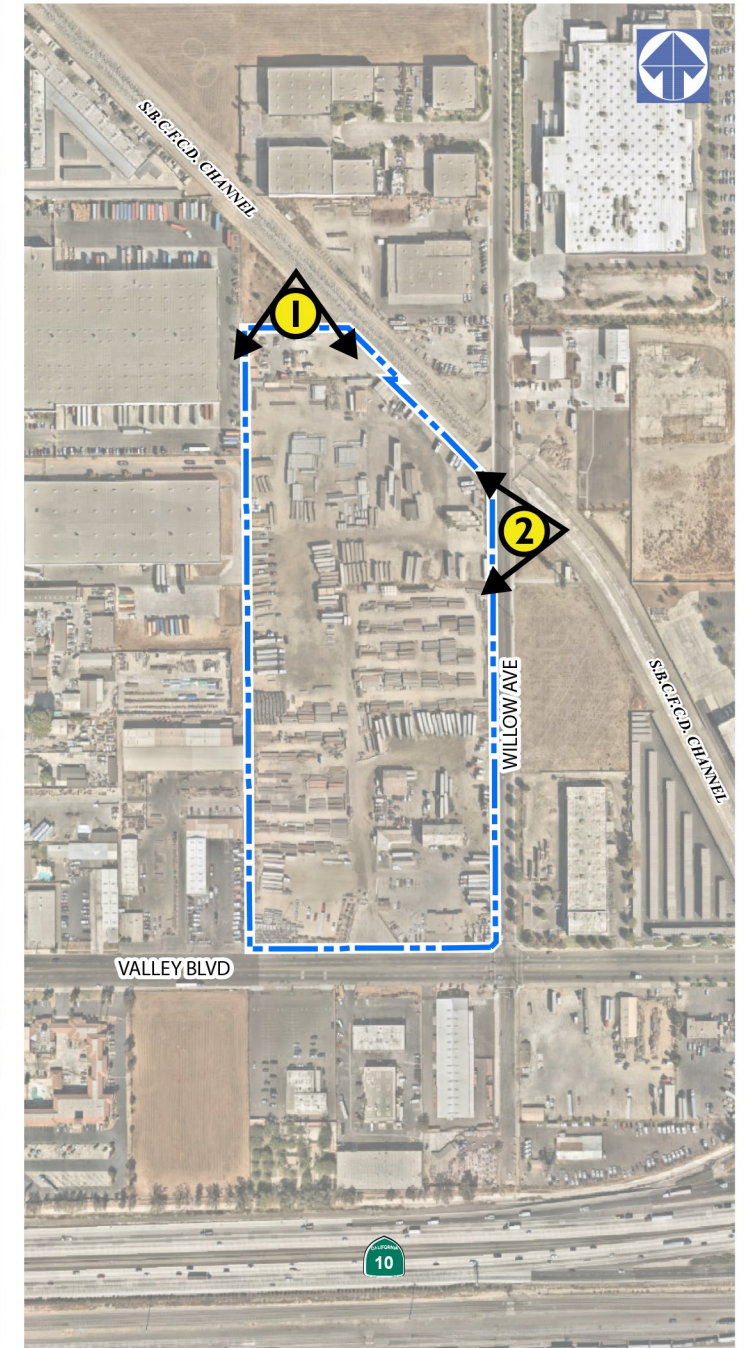
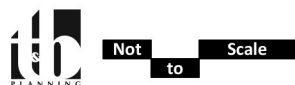


Figure 4.1-1





Site Photo 3: East of the Project Site, along Willow Ave., looking Southwest to Northwest.



Site Photo 4: Southeast of the Project Site, along Willow Ave., looking Southwest to Northwest.



Figure 4.1-2



Site Photo 5: South of the Project Site, along Valley Blvd., looking Northwest to Northeast.



Site Photo 6: Southeast of the Project Site, at the intersection of Valley Blvd. & Willow Ave., looking Northwest to Northeast.



Figure 4.1-3



4.1.2 REGULATORY SETTING

The following is a brief description of local environmental laws and related regulations governing the protection of prehistoric- and historic-period cultural resources.

A State Plans, Policies, and Regulations

1. California Scenic Highways

The California Department of Transportation (Caltrans) manages the State Scenic Highway Program, established in 1963 through Senate Bill 1467, Streets and Highways Code, Sections 260 through 263 to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. A highway may be designated as scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler’s enjoyment of the view. Scenic corridors consist of land that is visible from, adjacent to, and outside the highway right-of-way, and is comprised primarily of scenic and natural features. Topography, vegetation, viewing distance, and/or jurisdictional lines determine the corridor boundaries. Existing law provides Caltrans with full possession and control of all State highways, while this legislation places the Scenic Highway Program under the stewardship of Caltrans. The legislation further declares the intent of the State to assign responsibility for the regulation of land use and development along scenic highways to the appropriate State and local governmental agencies. Scenic highways are classified as either Officially Designated or Eligible for designation and Caltrans maintains the lists of these highways (Caltrans, 2021)¹.

There are no State-designated scenic road or highway corridors within the City (Caltrans, 2017)². The nearest officially designated scenic highway to the Project Site is the segment of State Route 38 (SR-38) at I-10 near Redlands and SR-18 near Fawnskin, located approximately 11.1 miles to the east of the Project area (Google Earth Pro, 2021; Caltrans, 2017).

B Local Plans, Policies, and Regulations

1. City of Rialto General Plan

The City General Plan guides future development within the City. The General Plan’s “Managing Our Land Supply” chapter combines four elements: land use, community design, open space, and conservation. The primary role of this chapter is to direct the use of the City’s land resources in the most equitable and productive manner possible, with the aim of providing a high quality of life for residents and the overall community (Rialto, 2010a, p. 2-1). This chapter provides goals, policies, and programs that are intended to preserve the City’s character and scenic resources while improving overall community design.

2. Gateway Specific Plan

The Gateway Specific Plan covers an approximately 366-acre area planned for industrial, commercial, retail, and office land uses. The Gateway Specific Plan (Section 5.0) includes design guidelines for new development

¹ California Department of Transportation, 2021. *California State Scenic Highways*. 2021. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>

² California Department of Transportation, 2017. *State Scenic Highways*. <https://www.arcgis.com/home/webmap/viewer.html?useExisting=1&layers=f0259b1ad0fe4093a5604c9b838a486a>.



within each land use category, including standards for site planning and parking area design, building design (building materials, colors, and building lighting), landscape (plant materials and hardscape), and streetscape design, that establish a design framework for well-planned and well-designed industrial development to fit properly within the context of its surroundings.

3. Rialto Municipal Code

Rialto Municipal Code Chapter 18.112 includes development standards for indoor storage uses. The purpose of these regulations is to provide development and performance standards for siting and operating indoor storage facilities that ensure impacts – including aesthetic impacts – to sensitive uses, such as residential uses, educational uses, and public parks and open space, are minimized.

Rialto Municipal Code Section 18.61.140 regulates light and glare associated with new development in the City, and requires the following of non-residential development: *The level of lighting shall not exceed one footcandle at any non-residential property line. Illuminated street address lighting fixtures shall be installed on the front yard side of the industrial building to facilitate location of the street address numbers for safety and public convenience.* (Rialto, 2021)

4.1.3 METHODOLOGY FOR EVALUATING AESTHETICS IMPACTS

The analysis of aesthetics impacts will focus on changes to scenic vistas, viewsheds, and scenic resources, visual character, and the introduction of new sources of light and glare.

The analysis of potential impacts to scenic vistas, viewsheds, and scenic resources will identify whether the Project would block or otherwise substantially and adversely affect a unique view of a scenic vista(s) or scenic resource as seen from a public viewing location(s), such as a public road, park, trail, and/or other publicly-owned property at which the general public is legally authorized to use or congregate. Effects to scenic vistas from private properties will not be considered because the City General Plan calls for the protection of public views and the City does not have any ordinances or policies in place that protect views from privately-owned property.

The U. S. Census Bureau defines an “urbanized area” as a densely settled core of census tracts and/or census blocks that have 50,000 or more residents and meet minimum population density requirements while also being adjacent to territory containing non-residential urban land uses. The Project Site is located in an urbanized area and is within the boundaries of the Census-defined Riverside-San Bernardino urban area (USCB, 2012)³; therefore, the analysis of potential impacts to visual character will consider whether the Project design conflicts with applicable zoning and other applicable regulations governing scenic quality.

Lastly, the analysis of light and glare will consider if the Project would directly expose the Project area with bright lights or create unwanted light in the night sky including light trespass, sky glow, or over-lighting, the Project would adversely affect day or nighttime views in the area.

³ United States Census Bureau, 2012. *2010 Census – Urbanized Area Reference Map: Riverside – San Bernardino, CA.* March 11, 2012. https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua75340_riverside--san_bernardino_ca/DC10UA75340.pdf.



4.1.4 BASIS FOR DETERMINING SIGNIFICANCE

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects that development projects could have on aesthetics/visual quality and scenic resources. The Project would result in a significant impact to aesthetics if the Project or any Project-related component would:

- a. *Have a substantial adverse effect on a scenic vista;*
- b. *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;*
- c. *In a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality; or*
- d. *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.*

4.1.5 IMPACT ANALYSIS

Threshold “a:” Would the Project have a substantial adverse effect on a scenic vista?

Scenic vistas are generally described in two ways: (1) panoramic views (visual access to a large geographic area, for which the field of view can be wide and extend into the distance); and (2) focal views (visual access to a particular object, scene, or feature of interest).

Figure 4.1-1 through Figure 4.1-3 depict the Project Site under existing conditions. As shown, the entire Project Site is developed/disturbed and used for the outdoor storage of trailers, construction equipment, and construction materials. The Project Site does not contain any special or unique scenic attributes, like rock outcroppings, native vegetation, or a substantial number of mature trees. Accordingly, the Project Site does not have any scenic resources. As shown in Figure 4.1-1 through Figure 4.1-3, the Project Site does not provide picturesque views to the San Gabriel Mountains, San Bernardino Mountains, and Jurupa Hills. As such, the Project Site is not considered to be part of a scenic vista and development of the Site would not result in a substantial adverse effect to an on-site scenic vista.

No designated scenic vistas or scenic corridors are located in the vicinity of the Project Site (Rialto, 2010a, pp. 2-22, 2-53; Google Earth, 2021). Scenic resources within and surrounding the City include the San Gabriel Mountains, which are located approximately 8.5 miles north and northwest of the Project Site, the San Bernardino Mountains, which are located approximately 8.4 miles northeast and east of the Project Site, and the Jurupa Hills, which are located approximately 2.7 miles southwest of the Project Site.

Distant views of the Jurupa Hills are available from the segments of Valley Boulevard and Willow Avenue that abut the site, looking south/southeast; however, the Project does not include any proposed improvements that would encroach within Valley Boulevard and/or Willow Avenue and obstruct south/southeast-facing views. The San Bernardino Mountains are partially visible from the Valley Boulevard segment that abuts the



Project Site looking north; however, views of the mountains are largely obstructed by existing structures on the Project Site and off-site, abutting properties and partially obstructed by materials and improvements on the Project Site (e.g., parked/stored trailers, stacks of stored equipment, signage, power poles). The proposed warehouse building would not obscure views of the San Bernardino Mountains substantially more than views of the Mountains are already obscured under existing conditions, and views of the San Bernardino Mountains would continue to be available above the building. Therefore, the visibility – or lack thereof – of the San Bernardino Mountains from public viewing areas along the Project Site frontage would not change substantially with implementation of the Project. Accordingly, given that the Project Site is not a scenic vista, is not located near a designated scenic resource, and unique, prominent and scenic views would not be obscured by the Project, implementation of the Project would not have a substantial adverse effect on a scenic vista and less-than-significant impacts would occur.

Threshold “b:” Would the Project substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

The evaluation of scenic resources is focused on whether identified scenic resources on the Project Site or within the vicinity of the Project would be substantially directly or indirectly damaged by the Project. As shown in Figure 4.1-1 through Figure 4.1-3 the entire Project Site is developed/disturbed and used for the outdoor storage of trailers, construction equipment, and construction materials. The Project Site does not contain any special or unique scenic attributes, like rock outcroppings, native vegetation, or a substantial number of mature trees.

The Project Site is not located within or adjacent to a scenic highway corridor and there are no State-designated or eligible scenic highways within the vicinity of the Project Site. The nearest officially designated scenic highway from the Project Site is a segment of SR-38 located approximately 11.1 miles east of the Project Site and the Project Site would not be visible from this SR-38 segment due to distance and intervening development/topography (Caltrans, 2017; Google Earth Pro, 2021). Accordingly, the Project Site is not located within a State scenic highway corridor and implementation of the proposed Project would not have a substantial effect on scenic resources within a State scenic highway corridor. Thus, no impact to a State scenic highway would occur.

Threshold “c:” Would the Project in a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The Project Site is located in an area that meets the U.S. Census Bureau’s definition of an “urbanized area” and is planned for urban uses by the City General Plan and the Gateway Specific Plan; therefore, for purposes of evaluation herein the Project is considered to be located in an urbanized area.

The Project’s design, including site layout, architecture, and landscaping is discussed and illustrated in detail in EIR Section 3.0, *Project Description*. As previously described, the proposed warehouse building would be constructed to an approximate height of 49 feet and would feature a contemporary architecture design and color palette with articulated building features (such as a varied roofline, horizontal reveals and other elements)



that would minimize the perceived height and size of the building. The Project also would feature landscaping – with plant materials massed along public street frontages, at Project entries, and at building entrances – to soften the proposed building frontages.

With the exception of the proposed building height for the Project, which is proposed at approximately 49 feet compared to the 35-foot height limit dictated by the Gateway Specific Plan, the Project would be consistent with all applicable development standards and design guidelines within the Gateway Specific Plan and the Rialto Municipal Code related to site design, architecture, and landscaping. The Project Applicant has requested a Variance from the City to allow the proposed warehouse distribution building to exceed the maximum 35-foot height limit within the Gateway Specific Plan “I-P” zone. (It bears noting that under existing conditions, the Gateway Specific Plan allows the southern portion of the Project Site, abutting Valley Boulevard, to be developed with buildings up to 55 feet tall and the proposed Variance would allow a maximum height that is similar to the Site’s existing development rights.) As part of the Variance request, City staff determined that the Project would not substantially degrade the existing visual character or quality of the site and made findings that the requested Variance would not adversely affect neighboring properties or the scenic quality of the Project area (these findings would be deliberated upon and adopted by the Rialto City Council as part of the Project’s approval, should the Project be approved). Upon approval of the Variance, the height of the warehouse distribution building would not conflict the applicable zoning and development regulations. Nonetheless, the increased height has no potential to cause an adverse aesthetic effect because the building would be designed to meet all other City requirements and would not block or obscure a scenic view. Furthermore, the Project’s height is consistent with the maximum height allowance of up to 75 feet in other industrial zones in the City where warehouse distribution buildings are permitted.

Because the Project Site is located in an urbanized area and because the Project would not conflict with applicable regulations governing scenic quality, a less-than-significant impact would occur.

Threshold “d:” Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The analysis of light and glare describes the existing light and glare environments in the Project area, identifies the light- and glare-sensitive land uses in the area, describes the light and glare sources under the Project, and qualitatively evaluates whether the Project would result in a substantial increase in nighttime lighting and daytime glare as seen from the area’s sensitive uses. The analysis of lighting impacts focuses on whether the Project would cause or substantially increase adverse night time lighting effects on light sensitive uses. Included in this analysis is consideration of the affected street frontages, the direction in which Project lighting would be directed, the potential for sunlight to reflect off the exterior surfaces of the proposed buildings, and the extent to which glare would interfere with the operation of motor vehicles or other activities.

Implementation of the Project would introduce new lighting elements on-site, primarily to illuminate the parking areas, truck docking areas, and building entrances. The Project’s lighting elements would include building-mounted fixtures (security lighting and upward/downward facing decorative lighting oriented toward the building) and pole-mounted fixtures in the Project’s truck docking areas and at the Project’s driveway entries along Valley Boulevard and Willow Avenue. It should also be noted that the Project is bounded by Valley Boulevard and Willow Avenue, which have existing street lights and are well-traveled by vehicles



under existing conditions. The Project would be required to adhere to the lighting requirements as set forth in the Rialto Municipal Code (Section 18.61.140). The Rialto Municipal Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding public nuisances. Mandatory compliance with Rialto Municipal Code Section 18.61.140 would ensure that the Project's building and associated site features would not introduce any permanent design features that would adversely affect day or nighttime views in the area.

With respect to glare, a majority of Project building materials would consist primarily of painted tilt-up concrete panels (the paints proposed for the Project have a matte finish and will not produce glare), although the building would incorporate some glass elements. While window glazing has a potential to result in minor glare effects, such effects would not adversely affect daytime views of surrounding properties, including motorists along adjacent roadways, because the glass proposed for the Project would be low-reflective and would be set back at a distance from adjacent roadways. Thus, glare impacts from proposed building elements would be less than significant.

4.1.6 CUMULATIVE IMPACT ANALYSIS

The CEQA Guidelines define a "cumulative impact" as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Guidelines Section 15355). The Project's effects to scenic views of the San Gabriel Mountains, San Bernardino Mountains, and Jurupa Hills, if any, would be localized to the immediate Project Site area and would not extend beyond the public viewing areas that immediately abut the Project Site (Valley Boulevard and Willow Avenue, respectively). The scenic views that would be mostly obstructed only occur abutting the Project Site and the Project does not contain any off-site components that could adversely affect scenic views that occur elsewhere in the City. As previously shown in Figure 4.0-1, *Cumulative Projects Location Map*, in EIR Subsection 4.0, the two nearest cumulative development projects are both located approximately 0.1-mile east of the Project Site (the Rialto Gateway shopping center at the northeast corner of the Valley Boulevard and Riverside Avenue intersection and a warehouse distribution facility north of Valley Boulevard and west of Riverside Avenue). However, the Project's impacts to local scenic views are inherently site specific and not influenced or exacerbated by effects to scenic views that may occur at other, off-site properties. Because of the site-specific nature of these impacts, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties pursuant to Threshold "a."

As noted under the analysis of Threshold "b," the Project Site is not located within close proximity to any designated State scenic routes and does not contain any scenic resources. Therefore, the Project has no potential contribute to a cumulatively significant impact to scenic resources within a designated scenic route corridor.

New development in the surrounding area would be subject to applicable development regulations and design standards, including, but not limited to the Gateway Specific Plan. Mandatory compliance to applicable development regulations and design standards would ensure that developments would incorporate high quality building materials, site design, and landscaping to minimize the potential for adverse effects due to a conflict with applicable zoning and other regulations governing scenic quality. In addition, the Project's design incorporates various architectural and landscape features to enhance and/or screen views of the interior of the site from the surrounding public street system, as previously described and illustrated in EIR Section 3.0,



Project Description. Accordingly, Project-related impacts due to a conflict with applicable zoning and other regulations governing scenic quality would be less than cumulatively-considerable when considered in context with the existing visual character and quality of the Project Site’s surroundings, which is considered an urbanized environment.

With respect to potential cumulative light and glare impacts, the Project Applicant would be required to comply with Rialto Municipal Code Section 18.61.140, which sets standards for exterior lighting/fixtures. Other developments in the City of Rialto also are required to adhere to Rialto Municipal Code Section 18.61.140. Additionally, development projects with light sources in surrounding jurisdictions would be required to comply with the light reduction requirements applicable in their respective jurisdiction. Although cumulative development in the Project’s surrounding area is expected to introduce new sources of lighting and potentially reflective materials, the required compliance with the applicable legal standard and code requirements would ensure that future cumulative development does not introduce substantial sources of lighting or glare. As such, the Project would not contribute to cumulatively-considerable, adverse impacts to the existing daytime or nighttime views of the Project Site or its surroundings.

4.1.7 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold “a:” Less-than-Significant Impact. The Project would not substantially affect a scenic vista. The Project Site does not contain any designated scenic vistas or scenic corridors. The Project would not substantially affect views of the San Gabriel Mountains, San Bernardino Mountains, or the Jurupa Hills from nearby public viewing areas; views of these landforms would remain visible from public viewing areas after implementation of the Project.

Threshold “b:” No Impact. The Project Site is not located within the viewshed of a scenic highway and, therefore, the Project Site does not contain any scenic resources visible from a scenic highway.

Threshold “c:” Less-than-Significant Impact. The Project would not substantially degrade the existing visual character or quality of the site or its surrounding areas during Project construction or operation. Furthermore, the Project proposes a number of site design, architectural, and landscaping elements consistent with the requirements of the City’s amended Gateway Specific Plan.

Threshold “d:” Less-than-Significant Impact. Project-related development would not create substantial light or glare. Compliance with Rialto Municipal Code requirements for lighting would ensure less-than-significant impacts associated with light and glare affecting day or nighttime views in the area from on-site lighting elements.

4.1.8 MITIGATION

Impacts would be less than significant; therefore, mitigation is not required.



4.2 AIR QUALITY

This Subsection is based primarily on two technical studies that were prepared by Urban Crossroads, Inc. to evaluate the potential for Project-related construction and operational activities to result in adverse effects on local and regional air quality, as discussed in detail herein. The first report, an air quality impact analysis (AQIA), is titled “Birtcher Logistics Center Rialto Air Quality Impact Analysis” and is included as *Technical Appendix B1* to this EIR (Urban Crossroads, 2022a)¹. The second report, a mobile source health risk assessment (HRA), is titled “Birtcher Logistics Center Rialto Mobile Source Health Risk Assessment” and is included as *Technical Appendix B2* to this EIR (Urban Crossroads, 2021a)². All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.2.1 EXISTING CONDITIONS

A Atmospheric Setting

The Project Site is located in the South Coast Air Basin (SCAB, or “Basin”), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAB encompasses approximately 6,745 square miles and includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. The SCAB is bound by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and the San Jacinto Mountains to the north and east, respectively; and the San Diego County line to the south.

B Regional Climate and Methodology

The regional climate – temperature, wind, humidity, precipitation, and the amount of sunshine – has a substantial influence on air quality. The SCAB’s distinctive climate is determined by its terrain and geographical location, which comprises a coastal plain connected to broad valleys and low hills bounded by the Pacific Ocean in the southwest quadrant with high mountains forming the remainder of the perimeter. The SCAB is semi-arid, with average annual temperatures varying from the low-to-middle 60s, measured in degrees Fahrenheit (F); however, the air near the land surface is quite moist on most days because of the presence of a marine layer. This shallow layer of sea air is an important modifier of the SCAB’s climate. Humidity restricts visibility in the SCAB and the relative high humidity heightens the conversion of sulfur dioxide to sulfates. The marine layer provides an environment for that conversion process, especially during the spring and summer months. Inland areas of the SCAB, including where the Project Site is located, show more variability in annual minimum/maximum temperatures and lower average humidity than coastal areas within the SCAB due to decreased marine influence.

More than 90 percent of the SCAB’s rainfall occurs between November and April. The annual average rainfall within the SCAB varies between approximately nine (9) inches in Riverside to 14 inches in downtown Los Angeles. Monthly and yearly rainfall totals are extremely variable. Summer rainfall usually consists of widely scattered thunderstorms near the coast and slightly heavier shower activity in the eastern portion of the SCAB. Due to its generally clear weather, about three-quarters of available sunshine is received in the SCAB; the remaining one-quarter is absorbed by clouds. The abundant amount of sunshine (and its associated ultraviolet radiation) is a key factor to the photochemical reactions of air pollutants in the SCAB.

¹ Urban Crossroads, 2022. *Birtcher Logistics Center Rialto (MC2020-0031) Air Quality Impact Assessment*. January 26, 2022.

² Urban Crossroads, 2021. *Birtcher Logistics Center Rialto (MC2020-0031) Mobile Source Health Risk Assessment*. July 13, 2021.



Dominant airflow direction and speed are the driving mechanisms for transport and dispersion of air pollution. During the late autumn to early spring rainy season, the SCAB is subjected to wind flows associated with storms moving through the region from the northwest. This period also brings five to 10 periods of strong, dry offshore winds, locally termed “Santa Anas” each year. During the dry season, which coincides with the months of maximum photochemical smog concentrations, the wind flow is bimodal, typified by a daytime onshore sea breeze and a nighttime offshore drainage wind. Summer wind flows are created by the pressure differences between the relatively cold ocean and the unevenly heated and cooled land surfaces that modify the general northwesterly wind circulation over southern California. During the nighttime, heavy, cool air descends mountain slopes and flows through the mountain passes and canyons as it follows the lowering terrain toward the ocean.

In the SCAB, there are two distinct temperature inversion structures that control the vertical mixing of air pollution. During the summer, warm high-pressure descending (subsiding) air is undercut by a shallow layer of cool marine air. The boundary between these two layers of air is a persistent marine subsidence/inversion. This boundary prevents vertical mixing which effectively acts as an impervious lid to pollutants over the entire SCAB. The mixing height for the inversion structure is normally situated 1,000 to 1,500 feet above mean sea level. A second inversion-type forms in conjunction with the drainage of cool air off the surrounding mountains at night followed by the seaward drift of this pool of cool air. The top of this layer forms a sharp boundary with the warmer air aloft and creates nocturnal radiation inversions. These inversions occur primarily in the winter, when nights are longer and onshore flow is weakest. They are typically only a few hundred feet above mean sea level. These inversions effectively trap pollutants, such as nitrogen oxides and carbon monoxide, as the pool of cool air drifts seaward. Winter is therefore a period of high levels of primary pollutants along the coastline.

Refer to Sections 2.2 and 2.3 of the Project’s AQIA for a detailed description of regional climate and wind patterns.

C Air Quality Pollutants and Associated Human Health Effects

The federal government and State of California have established maximum permissible concentrations for common air pollutants that may pose a risk to human health or would otherwise degrade air quality and adversely affect the environment. These regulated air pollutants are referred to as “criteria pollutants.” Refer to Section 2.4 of the Project’s AQIA for a detailed discussion of common criterial pollutants in the SCAB, their sources, and associated effects to human health. The text below provides a brief overview of the information presented in Section 2.4 of the Project’s AQIA.

- **Carbon Monoxide (CO)** is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO concentrations tend to be the highest in the winter during the morning, when there is little to no wind and surface-based inversions trap the pollutant at ground levels. CO is emitted directly from internal combustion engines; therefore, motor vehicles operating at slow speeds are the primary source of CO and the highest ambient CO concentrations in the SCAB are generally found near congested transportation corridors and intersections. Inhaled CO does not directly affect the lungs but affects tissues by interfering with oxygen transport and competing with oxygen to combine with hemoglobin present in the blood to form carboxyhemoglobin (COHb). Therefore, health conditions with an increased demand for oxygen



supply can be adversely affected by exposure to CO. The most common symptoms associated with CO exposure include headache, nausea, vomiting, dizziness, fatigue, and muscle weakness. Individuals most at risk to the effects of CO include fetuses, patients with diseases involving heart and blood vessels, and patients with chronic oxygen deficiency.

- **Sulfur Dioxide (SO₂)** is a colorless gas or liquid. SO₂ enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When SO₂ oxidizes in the atmosphere, it forms sulfates (SO₄). Collectively, these pollutants are referred to as sulfur oxides (SO_x). SO₂ is a respiratory irritant to people afflicted with asthma. After a few minutes' exposure to low levels of SO₂, asthma sufferers can experience breathing difficulties, including airway constriction and reduction in breathing capacity. Although healthy individuals do not exhibit similar acute breathing difficulties in response to SO₂ exposure at low levels, animal studies suggest that very high levels of exposure can cause lung edema (fluid accumulation), lung tissue damage, and sloughing off of cells lining the respiratory tract.
- **Nitrogen Oxides (NO_x)** consist of nitric oxide (NO), nitrogen dioxide (NO₂) and nitrous oxide (N₂O) and are formed when nitrogen (N₂) combines with oxygen (O₂). Their lifespan in the atmosphere ranges from one to seven days for nitric oxide and nitrogen dioxide, to 170 years for nitrous oxide. Nitrogen oxides are typically created during combustion processes, and are major contributors to smog formation and acid deposition. NO₂ is a criteria air pollutant, and may result in numerous adverse health effects; it absorbs blue light, resulting in a brownish-red cast to the atmosphere, and reduced visibility. Of the nitrogen oxide compounds, NO₂ is the most abundant in the atmosphere. As ambient concentrations of NO₂ are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO₂ than those indicated by regional monitoring stations. Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO₂. Short-term exposure to NO₂ can result in resistance to air flow and airway contraction in healthy subjects. Exposure to NO₂ can result decreases in lung functions in individuals with asthma or chronic obstructive pulmonary diseases (e.g., chronic bronchitis, emphysema).
- **Ozone (O₃)** is a highly reactive and unstable gas that is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x), both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, warm temperatures, and light wind conditions are favorable to the formation of this pollutant. Short-term exposure (lasting for a few hours) to ozone at levels typically observed in southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Individuals exercising outdoors, children, and people with pre-existing lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible sub-groups for ozone effects. Children who participate in multiple outdoor sports and live in communities with high ozone levels have been found to have an increased risk for asthma.
- **Particulate Matter less than 10 microns (PM₁₀) and less than 2.5 microns (PM_{2.5})** are air pollutants consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols that are 10 microns or smaller or 2.5 microns or smaller, respectively. These particles are formed in the atmosphere from primary gaseous emissions that include sulfates formed from SO₂ release from power plants and



industrial facilities and nitrates that are formed from NO_x release from power plants, automobiles, and other types of combustion sources. The chemical composition of fine particles is highly dependent on location, time of year, and weather conditions. The small size of PM₁₀ and PM_{2.5} allows them to enter the lungs where they may be deposited, resulting in adverse health effects. Elevated ambient concentrations of fine particulate matter (PM₁₀ and PM_{2.5}) have been linked to an increase in respiratory infections, number, and severity of asthma attacks, and increased hospital admissions. Some studies have reported an association between long-term exposure to air pollution dominated by fine particles and increased mortality, reduction in life-span, and an increased mortality from lung cancer. Daily fluctuations in PM_{2.5} concentration levels have also been related to hospital admissions for acute respiratory conditions in children, to a decrease in respiratory lung volumes in normal children, and to increased medication use in children and adults with asthma. Recent studies show lung function growth in children is reduced with long-term exposure to particulate matter. The elderly, people with pre-existing respiratory or cardiovascular disease, and children, appear to be the most susceptible to the effects of high levels of PM₁₀ and PM_{2.5}.

- **Volatile Organic Compounds (VOCs) and Reactive Organic Gasses (ROGs)** are a family of hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. Both VOCs and ROGs are precursors to ozone and contribute to the formation of smog through atmospheric photochemical reactions. Individual VOCs and ROGs have different levels of reactivity; that is, they do not react at the same speed or do not form ozone to the same extent when exposed to photochemical processes. VOCs often have an odor, including such common VOCs as gasoline, alcohol, and the solvents used in paints. Odors generated by VOCs can irritate the eye, nose, and throat, which can reduce respiratory volume. In addition, studies have shown that the VOCs that cause odors can stimulate sensory nerves to cause neurochemical changes that might influence health, for instance, by compromising the immune system.
- **Lead (Pb)** is a heavy metal that is highly persistent in the environment. Historically, the primary source of lead in the air was emissions from vehicles burning leaded gasoline. Currently, emissions of lead are largely limited to stationary sources such as lead smelters. Exposure to low levels of lead can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotient. In adults, increased lead levels are associated with increased blood pressure. Lead poisoning can cause anemia, lethargy, seizures, and death. Fetuses, infants, and children are more sensitive than others to the adverse effects of lead exposure.

D Existing Air Quality

Air quality is evaluated in the context of ambient air quality standards published by the federal and State governments. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. The National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) currently in effect are detailed in Table 4.2-1, *Ambient Air Quality Standards*. In California, a region's air quality is determined to be healthful or unhealthful by comparing pollutant levels in ambient air samples to the applicable NAAQS and CAAQS (as presented in Table 4.2-1).



Table 4.2-1 Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards ¹		National Standards ²			
		Concentration ³	Method ⁴	Primary ^{5a}	Secondary ^{5b}	Method ⁷	
Ozone (O ₃) ⁶	1 Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry	
	8 Hour	0.070 ppm (137 µg/m ³)		0.070 ppm (137 µg/m ³)			
Respirable Particulate Matter (PM ₁₀) ⁶	24 Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	20 µg/m ³		—			
Fine Particulate Matter (PM _{2.5}) ⁶	24 Hour	—	Gravimetric or Beta Attenuation	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	12 µg/m ³		12.0 µg/m ³			15 µg/m ³
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	—	Non-Dispersive Infrared Photometry (NDIR)	
	8 Hour	9.0 ppm (10 mg/m ³)		9 ppm (10 mg/m ³)			
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		—			
Nitrogen Dioxide (NO ₂) ⁶	1 Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m ³)	—	Gas Phase Chemiluminescence	
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)		0.053 ppm (100 µg/m ³)			Same as Primary Standard
Sulfur Dioxide (SO ₂) ⁶	1 Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppb (196 µg/m ³)	—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)	
	3 Hour	—		—			0.5 ppm (1300 µg/m ³)
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ¹¹			—
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas) ¹¹			—
Lead ^{12,13}	30 Day Average	1.5 µg/m ³	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption	
	Calendar Quarter	—		1.5 µg/m ³ (for certain areas) ¹²			Same as Primary Standard
	Rolling 3-Month Average	—		0.15 µg/m ³			
Visibility Reducing Particles ⁴	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards			
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography				
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence				
Vinyl Chloride ⁶	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography				

Source: (Urban Crossroads, 2022a, Table 2-2)

1. Regional Air Quality

□ Criteria Pollutants

The SCAQMD monitors levels of various criteria pollutants at 37 monitoring stations and five (5) single-pollutant source Pb air monitoring sites throughout its jurisdiction (Urban Crossroads, 2022a, p. 23). The attainment status for criteria pollutants within the SCAB is summarized in Table 4.2-2, *SCAB Criteria Pollutant Attainment Status*.



Table 4.2-2 SCAB Criteria Pollutant Attainment Status

Criteria Pollutant	State Designation	Federal Designation
O ₃ – 1-hour standard	Nonattainment	--
O ₃ – 8-hour standard	Nonattainment	Nonattainment
PM ₁₀	Nonattainment	Attainment
PM _{2.5}	Nonattainment	Nonattainment
CO	Attainment	Unclassifiable/Attainment
NO ₂	Attainment	Unclassifiable/Attainment
SO ₂	Unclassifiable/Attainment	Unclassifiable/Attainment
Pb ³	Attainment	Unclassifiable/Attainment

Note: See Appendix 2.1 for a detailed map of State/National Area Designations within the SCAB

“--” = The national 1-hour O₃ standard was revoked effective June 15, 2005.

Source: (Urban Crossroads, 2022a, Table 2-3)

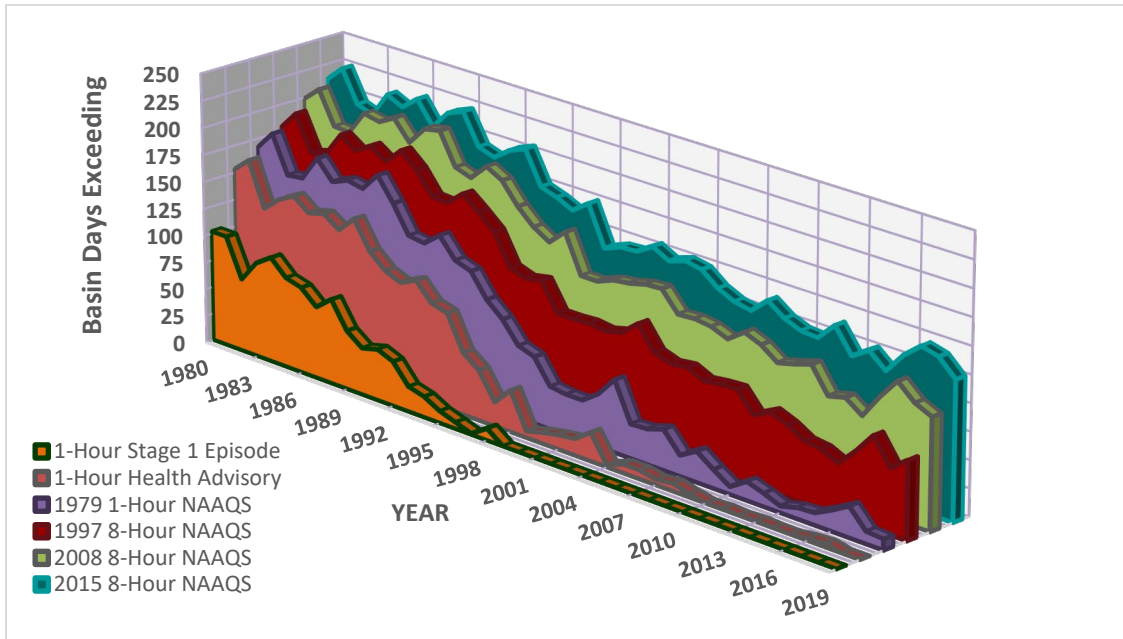
The SCAB has been one of the most unhealthful air basins in the United States and has experienced unhealthful air quality since World War II (Urban Crossroads, 2022a, pp. 28-38). However, as a result of the region’s air pollution control efforts over the last 60+ years, criteria pollutant concentrations in the SCAB have reduced dramatically and are expected to continue to improve in the future as State regulations become more stringent (ibid.). Emissions of O₃, NO_x, VOC, and CO have been decreasing in the SCAB since 1975 and are projected to continue to decrease beyond 2020 (ibid.). These decreases result primarily from motor vehicle controls and reductions in evaporative emissions. Although vehicle miles traveled (VMT) in the SCAB continue to increase, NO_x and VOC levels are decreasing because of federal and State mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles (ibid.). NO_x emissions from electric utilities have also decreased due to use of cleaner fuels and renewable energy (ibid.). O₃ contour maps show that the number of days exceeding the 8-hour NAAQS decreased between 1997 and 2007 (ibid.). In the 2007 period, there was an overall decrease in exceedance days compared with the 1997 period (ibid.). However, as shown on Figure 4.2-1, *South Coast Air Basin Ozone Trend*, O₃ levels have increased in the past two years due to higher temperatures and stagnant weather conditions. Notwithstanding, O₃ levels in the SCAB have decreased substantially over the last 30 years with the current maximum measured concentrations being approximately one-third of concentrations within the late 1970s (ibid.).

As with other pollutants, the most recent PM₁₀ statistics show an overall improvement as illustrated in Figure 4.2-2, *South Coast Air Basin PM₁₀ Trend (Federal Standard)*, and Figure 4.2-3, *South Coast Air Basin PM₁₀ Trend (State Standard)*. During the period for which data are available, the 24-hour national annual average concentration for PM₁₀ decreased by approximately 54 percent, from 103.7 microgram per cubic meter (µg/m³) in 1988 to 47.5 µg/m³ in 2019 (Urban Crossroads, 2022a, p. 30). Although the values are below the federal standard, it should be noted that there are days within the year where the concentrations will exceed the threshold (ibid.). Although data in the late 1990’s show some variability, this is likely due to the advances in meteorological science rather than a change in emissions (ibid.). Similar to the ambient concentrations, the calculated number of days above the 24-hour PM₁₀ standards has also shown an overall drop (ibid.).

³ The Federal nonattainment designation for lead is only applicable towards the Los Angeles County portion of the SCAB.

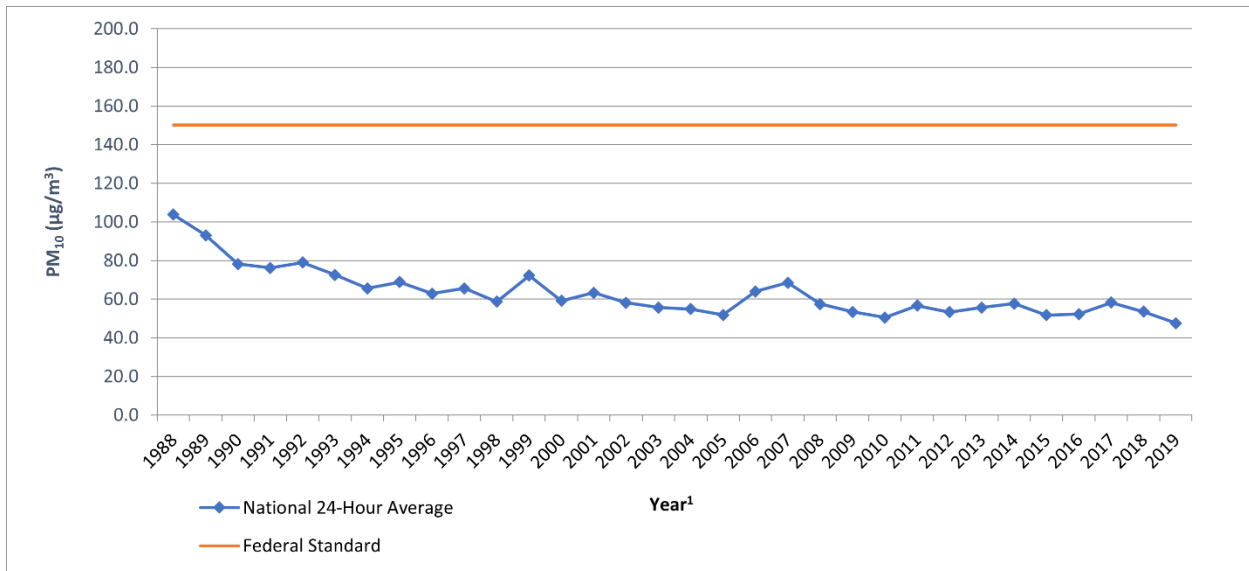


Figure 4.2-1 South Coast Air Basin Ozone Trend



Source: (Urban Crossroads, 2022a, Table 2-5)

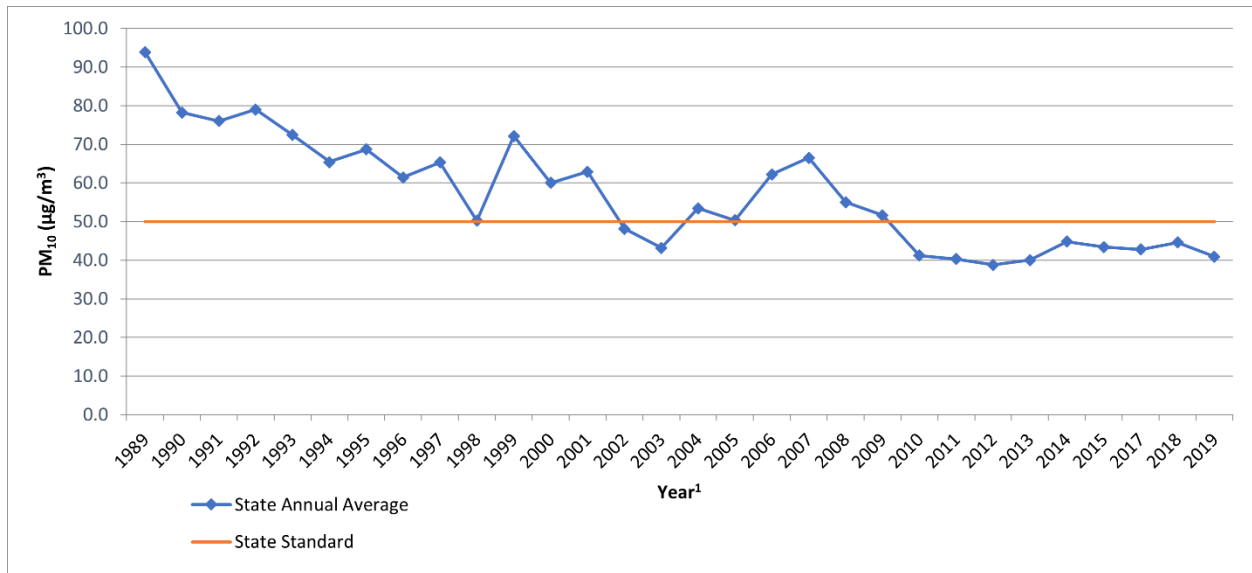
Figure 4.2-2 South Coast Air Basin PM₁₀ Trend (Federal Standard)



Source: (Urban Crossroads, 2022a, Table 2-6)



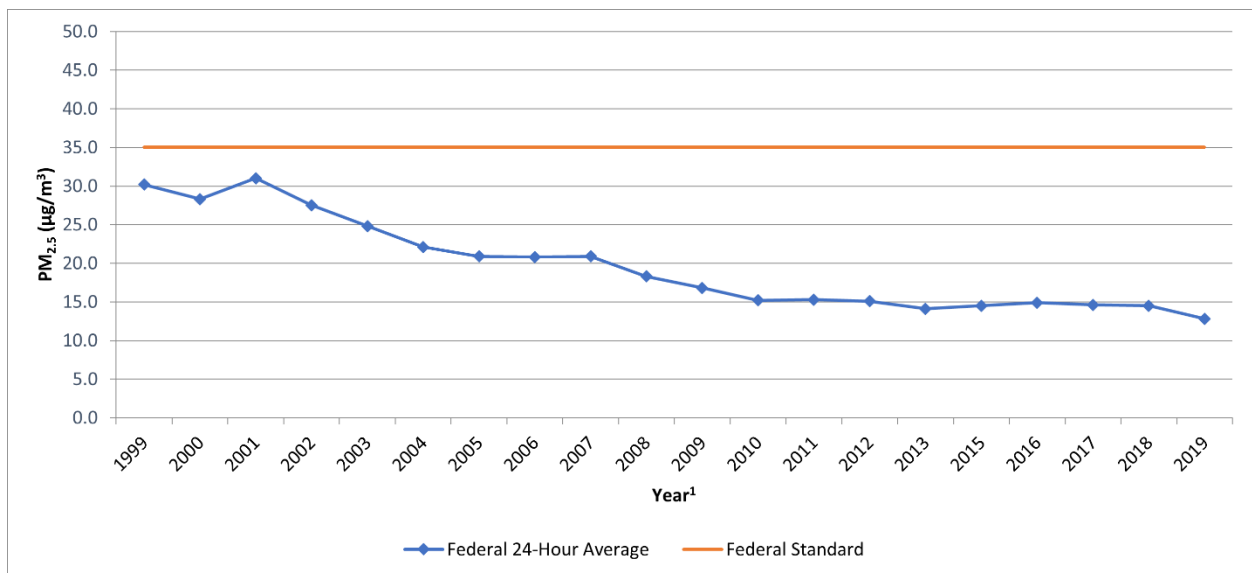
Figure 4.2-3 South Coast Air Basin PM₁₀ Trend (State Standard)



Source: (Urban Crossroads, 2022a, Table 2-7)

Figure 4.2-4, *South Coast Air Basin PM_{2.5} Trend (Federal Standard)*, and Figure 4.2-5, *South Coast Air Basin PM_{2.5} Trend (State Standard)*, show the most recent 24-hour average PM_{2.5} concentrations in the SCAB from 1999 through 2019. Overall, the national and State annual average concentrations decreased by almost 58 percent and 35 percent, respectively (Urban Crossroads, 2022a, p. 31). It should be noted that the SCAB is currently designated as nonattainment for the State and federal PM_{2.5} standards (ibid.).

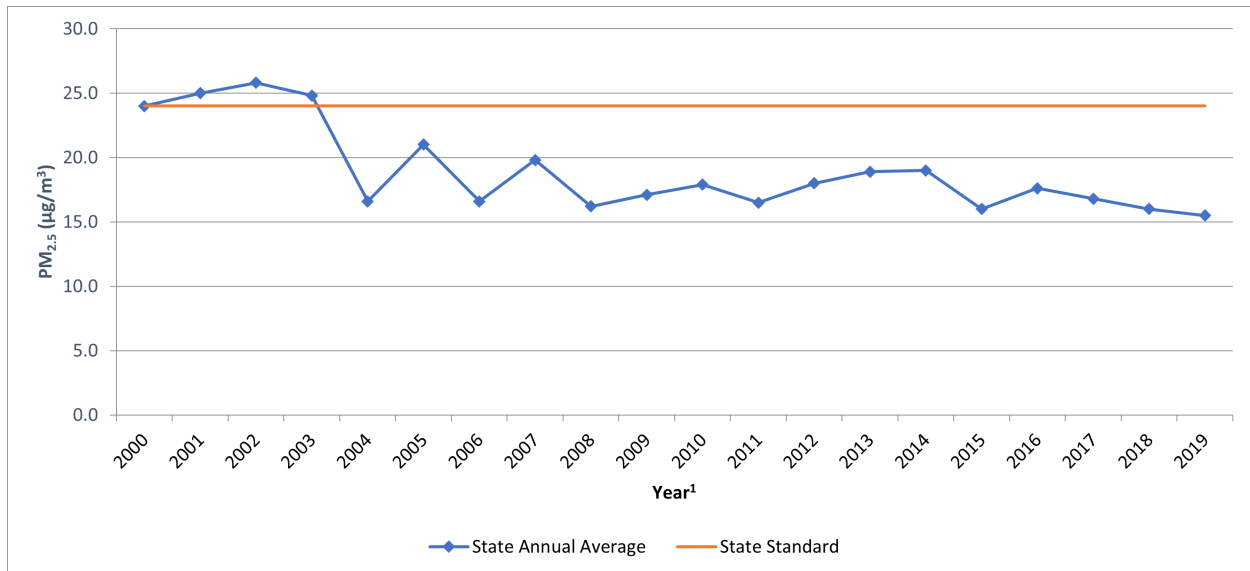
Figure 4.2-4 South Coast Air Basin PM_{2.5} Trend (Federal Standard)



Source: (Urban Crossroads, 2022a, Table 2-8)



Figure 4.2-5 South Coast Air Basin PM_{2.5} Trend (State Standard)



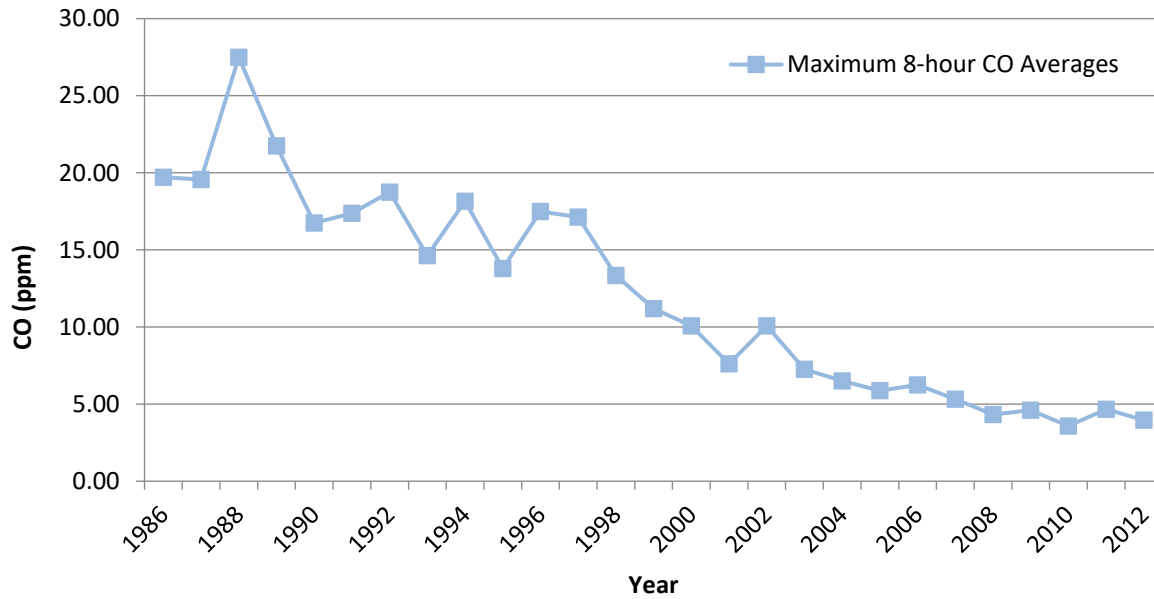
Source: (Urban Crossroads, 2022a, Table 2-9)

The most recent CO concentrations in the SCAB are shown in Figure 4.2-6, *South Coast Air Basin 24-Hour Average CO Trend*. It should be noted 2012 is the most recent year where 8-hour CO averages and related statistics are available in the SCAB. CO concentrations in the SCAB have decreased markedly – a total decrease of more about 80 percent in the peak 8-hour concentration since 1986 (Urban Crossroads, 2022a, p. 33). The number of exceedance days has also declined (ibid.). The entire SCAB is now designated as attainment for both the State and national CO standards (ibid.). Ongoing reductions from motor vehicle control programs should continue the downward trend in ambient CO concentrations (ibid.).

The most recent NO₂ data for the SCAB is shown in Figure 4.2-7, *South Coast Air Basin NO₂ Trend (Federal Standard)*, and Figure 4.2-8, *South Coast Air Basin NO₂ Trend (State Standard)*. Over the last 50 years, NO₂ values have decreased significantly; the peak 1-hour national and State averages for 2019 are approximately 81 percent lower than reported for 1963 (Urban Crossroads, 2022a, p. 34). The SCAB attained the State 1-hour NO₂ standard in 1994, bringing the entire State of California into attainment (ibid.). A new State annual average standard of 0.030 parts per million was adopted by the ARB in February 2007. The new standard is just barely exceeded in the SCAB today (ibid.). NO₂ is formed from NO_x emissions, which also contribute to O₃. As a result, the majority of the future emission control measures will be implemented by the State as part of the overall ozone control strategy. Many of these control measures will target mobile (vehicle tailpipe) sources, which account for more than three-quarters of California’s NO_x emissions (ibid.). These State-mandated control measures are expected to bring the SCAB into attainment of the State annual average standard (ibid.).

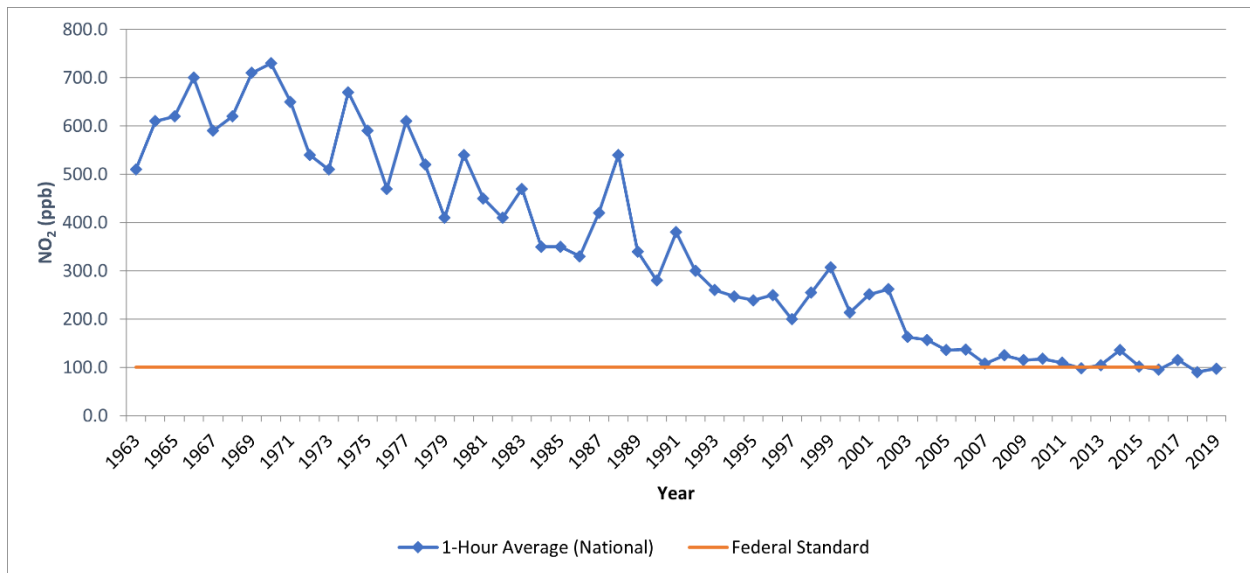


Figure 4.2-6 South Coast Air Basin 24-Hour Average CO Trend



Source: (Urban Crossroads, 2022a, Table 2-10)

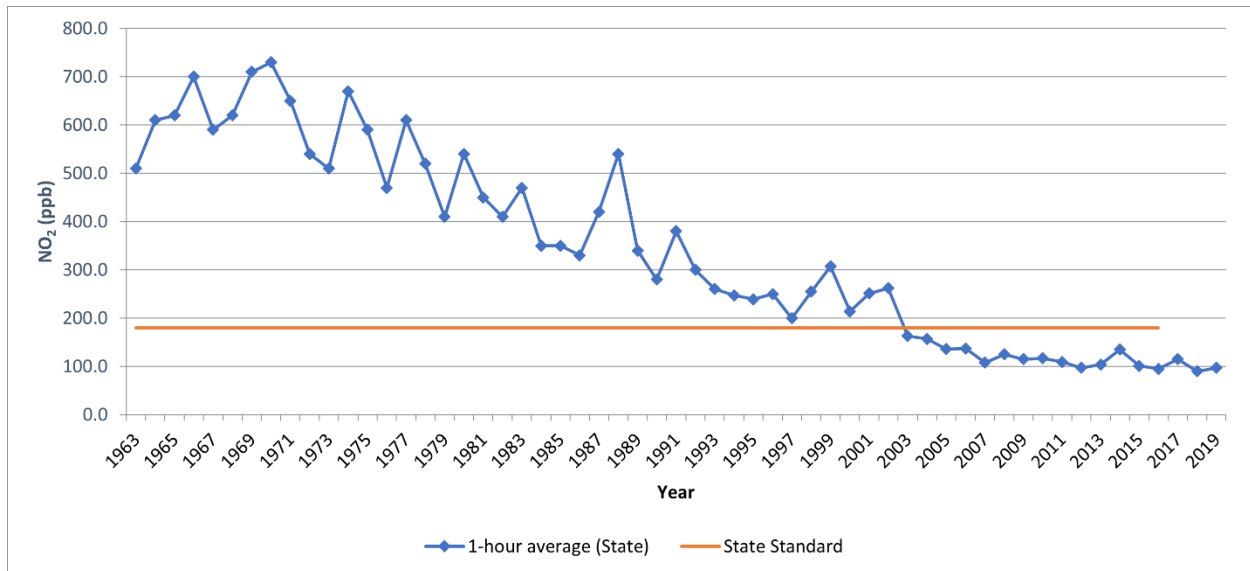
Figure 4.2-7 South Coast Air Basin NO₂ Trend (Federal Standard)



Source: (Urban Crossroads, 2022a, Table 2-11)



Figure 4.2-8 South Coast Air Basin NO₂ Trend (State Standard)



Source: (Urban Crossroads, 2022a, Table 2-12)

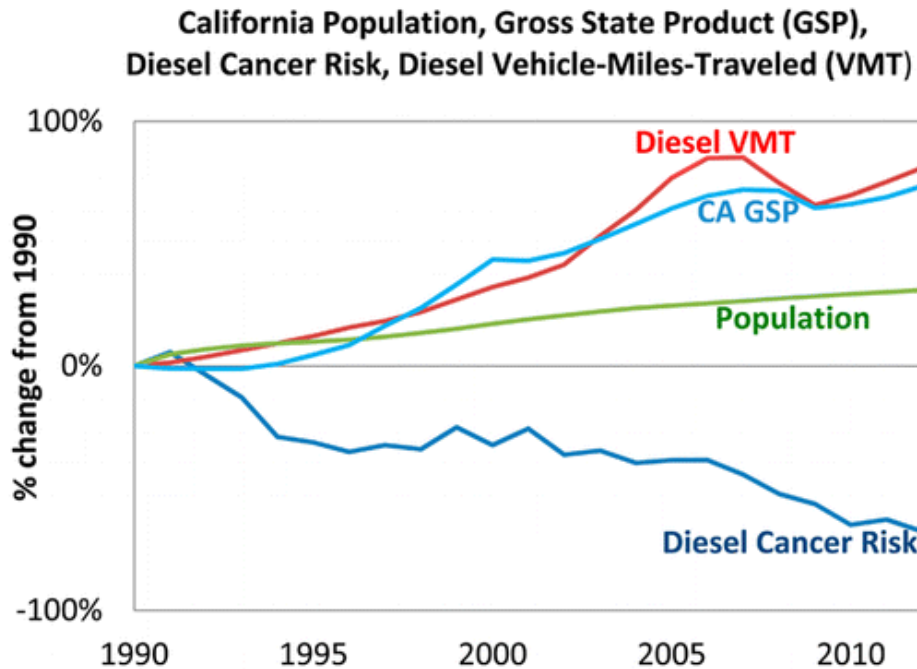
☐ Toxic Air Contaminants

Toxic air contaminants (TACs) are a classification of air pollutants that have been attributed to carcinogenic and non-carcinogenic health risks. Beginning in the mid-1980s, the California Air Resources Board (CARB) adopted a series of regulations to reduce the amount of air toxic contaminant emissions resulting from mobile and stationary sources, such as cars, trucks, stationary sources, and consumer products. As a result of CARB’s regulatory efforts, ambient concentrations of TACs have declined substantially across the State (Urban Crossroads, 2022a, pp. 35-36).

To reduce TAC emissions from mobile sources, CARB has required that all light- and medium-duty vehicles sold in California since 1996 be equipped with an on-board diagnostic system to alert drivers of potential engine problems (as approximately half of all tailpipe emissions result from malfunctioning emissions control devices). Also, since 1996, CARB has required the use of cleaner burning, reformulated gasoline in all light- and medium-duty vehicles. These two regulations resulted in an over 80 percent reduction in TAC emissions from light- and medium-duty vehicles in the State between 1990 and 2012 (Urban Crossroads, 2022a, p. 36). The CARB also implemented programs to retrofit diesel-fueled engines and facilitate the use of diesel fuels with ultra-low sulfur content to minimize the amount of diesel emissions and their associated TACs. As a result of CARB’s programs, diesel emissions and their associated TACs fell by approximately 68 percent since 2000 despite an approximately 81 percent increase in miles traveled by diesel vehicles during that same time period, as shown on Figure 4.2-9, *Diesel Particulate Matter and Diesel Vehicle Miles Trend* (ibid.). Moreover, the average statewide diesel particulate matter (DPM) emissions for Heavy Duty Trucks (HDT), in terms of grams of DPM generated per mile traveled, are projected to dramatically reduce due to regulatory requirements on vehicular emissions adopted by CARB and the Ports of Los Angeles and Long Beach (ibid.). CARB’s efforts at reducing stationary source TACs have been focused mainly on the dry cleaning and paint/architectural coating industries, which have resulted in a greater than 85 percent reduction of stationary source TACs across the State between 1990 and 2012 (ibid.).



Figure 4.2-9 Diesel Particulate Matter and Diesel Vehicle Miles Trend



In 2000, the SCAQMD prepared a comprehensive urban toxic air pollution study to evaluate the TAC concentration levels in the SCAB and their associated health risks, called *MATES-II (Multiple Air Toxics Exposure Study in the South Coast Air Basin)*. *MATES-II* showed an average regional excess cancer risk of about 1,400 in one million. As part of the *MATES-II* study, the SCAQMD concluded that diesel particulate matter (DPM) accounted for more than 70 percent of the identified excess cancer risk in the SCAB (Urban Crossroads, 2022a, p. 37). The SCAQMD has updated their urban toxic air pollution survey twice since 2000, with the 2008 (*MATES-III*) and 2014 updates (*MATES-IV*), both showing reductions in the average excess cancer risk within the SCAB relative to the levels disclosed in *MATES-II*. The current version of the urban toxic air pollution survey, *MATES-IV*, is the most comprehensive dataset of ambient air toxic levels and health risks within the SCAB. The *MATES-IV* report estimates the average Basin-wide excess cancer risk level within the SCAB to be 418 in one million, an approximately 70 percent improvement from the findings of *MATES-II* report just 15 years earlier (SCAQMD, 2015, p. 2-11). According to SCAQMD, DPM accounts for approximately 68 percent of the total risk shown in *MATES-IV* (ibid.).

2. Local Air Quality

□ Criteria Pollutants

Ambient air pollutant concentrations in the Project area are summarized in Table 4.2-3, *Project Area Air Quality Monitoring Summary*. Local air quality data was collected from the SCAQMD air quality monitoring station located nearest to the Project Site: Central San Bernardino Valley 2 area (Source Receptor Area [SRA34]) (approximately 6.2 miles northeast of the Project Site for O₃, CO, NO₂, PM₁₀, and PM_{2.5} (Urban Crossroads, 2022a, p. 23). Data was collected for the three most recent years for which data was available (2018-2020).



Table 4.2-3 Project Area Air Quality Monitoring Summary

Pollutant	Standard	Year		
		2018	2019	2020
O₃				
Maximum Federal 1-Hour Concentration (ppm)		0.138	0.127	0.162
Maximum Federal 8-Hour Concentration (ppm)		0.116	0.114	0.128
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	63	63	89
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	102	96	128
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	2.7	1.3	1.9
Maximum Federal 8-Hour Concentration	> 20 ppm	2.5	1.1	1.4
NO₂				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.057	0.059	0.054
Annual Federal Standard Design Value		0.016	0.014	0.015
PM₁₀				
Maximum Federal 24-Hour Concentration (µg/m ³)	> 150 µg/m ³	129	112	80
Annual Federal Arithmetic Mean (µg/m ³)		30.2	29.9	38.7
Number of Days Exceeding Federal 24-Hour Standard	> 150 µg/m ³	0	0	0
Number of Days Exceeding State 24-Hour Standard	> 50 µg/m ³	25	36	81
PM_{2.5}				
Maximum Federal 24-Hour Concentration (µg/m ³)	> 35 µg/m ³	30.10	34.80	25.70
Annual Federal Arithmetic Mean (µg/m ³)	> 12 µg/m ³	11.17	10.06	11.66
Number of Days Exceeding Federal 24-Hour Standard	> 35 µg/m ³	0	0	0

ppm = Parts Per Million

µg/m³ = Microgram per Cubic Meter

Source: Data for O₃, CO, NO₂, PM₁₀, and PM_{2.5} was obtained from SCAQMD Air Quality Data Tables.

Source: (Urban Crossroads, 2022a, Table 2-4)

☐ Toxic Air Contaminants

As part of preparation of the *MATES-IV* study, the SCAQMD collected toxic air contaminant data at 10 fixed sites within the SCAB. None of the fixed monitoring sites are located within the vicinity of the Project Site; however, *MATES-IV* extrapolates the excess cancer risk levels throughout the SCAB using mathematical modeling for specific geographic grids. *MATES-IV* estimates an excess carcinogenic risk of approximately 840.27 in one million for the Project area (SCAQMD, n.d.)⁴.

3. Project Site Air Quality

The Project Site is developed/disturbed and used for the outdoor storage of trailers, construction equipment, and construction materials. The Project Site also contains several structures and outbuildings used for storage and offices for the businesses operating on the site. The estimated operation-source emissions from the existing development used on the Project Site are summarized on Table 4.2-3, *Existing Development Operation-Source Emissions*. Detailed operation model outputs are presented in Appendix 3.3 of the Project’s AQIA.

⁴ South Coast Air Quality Management District. *Mates IV Estimated Risk*.

<https://scaqmd-online.maps.arcgis.com/apps/webappviewer/index.html?id=470c30bc6daf4ef6a43f0082973ff45f>.



Table 4.2-4 Existing Development Operation-Source Emissions

Source	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
Area Source	0.93	6.00E-05	7.04E-03	0.00	3.00E-05	3.00E-05
Energy Source	1.44E-03	0.01	0.01	8.00E-05	1.00E-03	1.00E-03
Mobile Source	0.75	12.81	8.01	0.08	3.85	1.16
Total Maximum Daily Emissions	1.68	12.83	8.03	0.08	3.85	1.16
Winter						
Area Source	0.93	6.00E-05	7.04E-03	0.00	3.00E-05	3.00E-05
Energy Source	1.44E-03	0.01	0.01	8.00E-05	1.00E-03	1.00E-03
Mobile Source	0.67	13.46	7.51	0.08	3.85	1.16
Total Maximum Daily Emissions	1.60	13.47	7.53	0.08	3.85	1.16

Source: CalEEMod existing operational-source emissions are presented in Appendix 3.3 of the Project’s AQIA.

Source: (Urban Crossroads, 2022a, Table 3-9)

4.2.2 REGULATORY SETTING

The following is a brief description of applicable federal, State, and local environmental laws and related regulations governing air quality emissions.

A Federal Plans, Policies, and Regulations

1. Federal Clean Air Act

The Clean Air Act (CAA; 42 U.S.C. § 7401 *et seq.*) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes Environmental Protection Agency (EPA) to establish NAAQS to protect public health and public welfare and to regulate emissions of hazardous air pollutants, which include O₃, CO, NO_x, SO₂, PM₁₀, PM_{2.5}, and lead (EPA, 2020a)⁵.

One of the goals of the CAA was to set and achieve NAAQS in every state by 1975 in order to address the public health and welfare risks posed by certain widespread air pollutants. The setting of these pollutant standards was coupled with directing the states to develop state implementation plans SIPs, applicable to appropriate industrial sources in the state, in order to achieve these standards. The CAA was amended in 1977 and 1990 primarily to set new goals (dates) for achieving attainment of NAAQS since many areas of the country had failed to meet the deadlines.

The sections of the federal CAA most directly applicable to the development of the Project Site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions). Title I provisions address the urban air pollution problems of ozone (smog), CO, and particulate matter (PM₁₀) (EPA, 2020b)⁶. Specifically, it clarifies how areas are designated and re-designated "attainment." It also allows EPA to define the boundaries of "nonattainment" areas: geographical areas whose air quality does not meet federal air quality standards designed to protect public health. Mobile source emissions are regulated in accordance with the CAA Title II

⁵ Environmental Protection Agency, 2020. *Summary of the Clean Air Act*. <https://www.epa.gov/laws-regulations/summary-clean-air-act>

⁶ Environmental Protection Agency, 2020. *1990 Clean Air Act Amendment Summary: Title I*. <https://www.epa.gov/clean-air-act-overview/1990-clean-air-act-amendment-summary-title-i>



provisions. These standards are intended to reduce tailpipe emissions of hydrocarbons, CO, and NO_x on a phased-in basis that began in model year 1994. Automobile manufacturers also are required to reduce vehicle emissions resulting from the evaporation of gasoline during refueling. These provisions further require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas (EPA , 2020c)⁷.

Section 112 of the Clean Air Act addresses emissions of hazardous air pollutants. Prior to 1990, CAA established a risk-based program under which only a few standards were developed. The 1990 Clean Air Act Amendments revised Section 112 to first require issuance of technology-based standards for major sources and certain area sources. "Major sources" are defined as a stationary source or group of stationary sources that emit or have the potential to emit 10 tons per year or more of a hazardous air pollutant or 25 tons per year or more of a combination of hazardous air pollutants (EPA, 2020a). An "area source" is any stationary source that is not a major source (ibid.).

For major sources, Section 112 requires that EPA establish emission standards that require the maximum degree of reduction in emissions of hazardous air pollutants. These emission standards are commonly referred to as "maximum achievable control technology" or "MACT" standards. Eight years after the technology-based MACT standards are issued for a source category, EPA is required to review those standards to determine whether any residual risk exists for that source category and, if necessary, revise the standards to address such risk (EPA, 2020a).

2. SmartWay Program

The US EPA's SmartWay Program is a voluntary public-private program developed in 2004, which 1) provides a comprehensive and well-recognized system for tracking, documenting and sharing information about fuel use and freight emissions across supply chains; 2) helps companies identify and select more efficient freight carriers, transport modes, equipment, and operational strategies to improve supply chain sustainability and lower costs from goods movement; 3) supports global energy security and offsets environmental risk for companies and countries; and 4) reduces freight transportation-related emissions by accelerating the use of advanced fuel-saving technologies (EPA, 2017)⁸. This program is supported by major transportation industry associations, environmental groups, State and local governments, international agencies, and the corporate community.

B State Plans, Policies, and Regulations

1. California Clean Air Act (CCAA)

The California Clean Air Act (CCAA) establishes numerous requirements for district plans to attain state ambient air quality standards for criteria air contaminants (SCAQMD, 2021a)⁹. AB 2595 mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the State's ambient air quality standards, the CAAQS, by the earliest practical date. The CARB established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, established standards for sulfates, visibility, hydrogen sulfide, and vinyl chloride. Generally, the

⁷ Environmental Protection Agency, 2020. *1990 Clean Air Act Amendment Summary: Title II*. <https://www.epa.gov/clean-air-act-overview/1990-clean-air-act-amendment-summary-title-ii>

⁸ Environmental Protection Agency, 2017. *Learn about SmartWay*. <https://www.epa.gov/smartway/learn-about-smartway>

⁹ South Coast Air Quality Management District, 2021. *Authority*. <https://www.aqmd.gov/nav/about/authority>



CAAQS are more stringent than the NAAQS. For districts with serious air pollution, its attainment plan should include the following: no net increase in emissions from new and modified stationary sources; and best available retrofit technology for existing sources.

2. *Air Quality Management Planning*

The CARB and local air districts throughout the State are responsible for developing clean air plans to demonstrate how and when California will attain air quality standards established under both the CAA and CCAA (CARB, 2019)¹⁰. For the areas within California that have not attained air quality standards, CARB works with local air districts to develop and implement State and local attainment plans. In general, attainment plans contain a discussion of ambient air quality data and trends; a baseline emissions inventory; future year projections of emissions, which account for growth projections and already adopted control measures; a comprehensive control strategy of additional measures needed to reach attainment; an attainment demonstration, which generally involves complex modeling; and contingency measures. Plans may also include interim milestones for progress toward attainment. Air quality planning activities undertaken by CARB also include the development of policies, guidance, and regulations related to State and federal ambient air quality standards; coordination with local agencies on transportation plans and strategies; and providing assistance to local districts and transportation agencies.

3. *Truck & Bus Regulation*

Under the Truck and Bus Regulation, adopted by CARB in 2008, all diesel truck fleets operating in California are required to adhere to an aggressive schedule for upgrading and replacing heavy-duty truck engines (CARB, 2021a)¹¹. Older, more polluting trucks are required to be replaced first, while trucks that already have relatively clean engines are not required to be replaced until later. Pursuant to the Truck and Bus Regulation, all pre-1994 heavy trucks (trucks with a gross vehicle weight rating greater than 26,000 pounds) were to be removed from service on California roads by 2015. Between 2015 and 2020, pre-2000 heavy trucks will be equipped with PM filters and will be upgraded or replaced with an engine that meets 2010 emissions standards. The upgrades/replacements will occur on a rolling basis based on model year. By 2023, all heavy trucks operating on California roads must have engines that meet 2010 emissions standards. Lighter trucks (those with a gross vehicle weight rating of 14,001 to 26,000 pounds) must adhere to a similar schedule, and will all be replaced by 2020.

4. *Advanced Clean Trucks Regulation*

In June, 2020, CARB adopted a new Rule requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024 (CARB, 2021b)¹². By 2045, every new truck sold in California will be required to be zero-emission. Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales. CARB reports that as of 2020, most commercially-available models of zero-emission vans, trucks and buses

¹⁰ California Air Resources Board, 2019. *Air Quality and Transportation Planning*. <https://ww3.arb.ca.gov/planning/planning.htm>

¹¹ California Air Resources Board, 2021. *Truck and Bus Regulation*. <https://ww2.arb.ca.gov/our-work/programs/truck-and-bus-regulation>.

¹² California Air Resources Board, 2021. *Advanced Clean Trucks Fact Sheet*. <https://ww2.arb.ca.gov/resources/fact-sheets/advanced-clean-trucks-fact-sheet>



operate less than 100 miles per day. Commercial availability of electric-powered long-haul trucks is very limited. However, as technology advances over the next 20 years, zero-emission trucks will become suitable for more applications, and several truck manufacturers have announced plans to introduce market ready zero-emission trucks in the future. When commercial availability of electric-powered long-haul trucks is more readily available, implementation of the Advanced Clean Trucks Regulation is anticipated to significantly further reduce criteria pollutant concentrations in the SCAB.

C Local Plans, Policies, and Regulations

1. SCAQMD Air Quality Management Plan

Under existing conditions, the NAAQS and CAAQS are exceeded in most parts of the SCAB. In response, and in conformance with California Health & Safety Code Section 40702 *et seq.* and the California CAA, the SCAQMD adopted an AQMP to plan for the improvement of regional air quality. AQMPs are updated regularly in order to more effectively reduce emissions and accommodate growth. Each version of the plan is an update of the previous plan and has a 20-year horizon with a revised baseline. The SCAQMD's most recent iteration of the AQMP was adopted in March 2017 (SCAQMD, 2017a)¹³. The Final 2016 Air Quality Management Plan (2016 AQMP) incorporates the latest scientific and technological information and local and regional land development plans, including the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The Final 2016 AQMP is based on current emissions modeling data, recent motor vehicle emissions information, and demographic data/projections provided by SCAG. The air quality pollutant levels projected in the Final 2016 AQMP are based on the assumption that buildout of the region will occur in accordance with local general plans and specific plans, and in accordance with growth projections identified by SCAG in its 2020 RTP/SCS.

2. Applicable SCAQMD Rules

The SCAQMD Rules that are applicable to construction and operation of the Project include, but are not limited to: Rule 402 (Nuisance); Rule 403 (Fugitive Dust); Rule 1108 (Cutback Asphalt); Rule 1113 (Architectural Coatings); Rule 1301 (General); Rule 1401 (New Source Review of Toxic Air Contaminants); and Rule 2305 (Warehouse Indirect Source Rule) (Urban Crossroads, 2022a, pp. 2-3). Rule 402 prohibits the discharge of air contaminants that cause nuisance or annoyance to any considerable number of persons or to the public (SCAQMD, 1976)¹⁴. Rule 403 requires the implementation of best available dust control measures (BACMs) during activities capable of generating fugitive dust. Rule 403 also requires activities defined as "large operations" to notify the SCAQMD by submitting specific forms; a large operation is defined as any active operation on property containing 50 or more acres of disturbed surface area; or any earth moving operation with a daily earth-moving or throughput volume of 3,850 cubic meters (5,000 cubic yards), three times during the most recent 365-day period (SCAQMD, 2005)¹⁵. Rule 1108 prohibits the use of asphalt that exceeds a specified percentage of VOCs (SCAQMD, 1985)¹⁶. Rule 1113 requires all buildings within the SCAQMD to

¹³ South Coast Air Quality Management District, 2017. *Final 2016 Air Quality Management Plan*. <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/final2016aqmp.pdf?sfvrsn=15>

¹⁴ South Coast Air Quality Management District, 1976. *Rule 402 Nuisance*. <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf>.

¹⁵ South Coast Air Quality Management District, 2005. *Rule 403 Fugitive Dust*. <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf?sfvrsn=4>

¹⁶ South Coast Air Quality Management District, 1985. *Rule 1108 Cutback Asphalt*. <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1108-cutback-asphalt.pdf>



adhere to the VOC limits for architectural coatings (SCAQMD, 2013)¹⁷. Rule 1301 provides pre-construction review requirements to ensure that new or relocated facilities do not interfere with progress in attainment of the NAAQS (SCAQMD, 1995)¹⁸. Rule 1301 also limits emission increase of ammonia and ozone depleting compounds from new, modified, or relocated facilities by requiring the use of Best Available Control Technology (BACT). Rule 1401 prohibits a person from discharging any single source of emission into the atmosphere for period more than three minutes in any 1 hour (SCAQMD, 2017b)¹⁹. Rule 2305 requires all operators of warehouses greater than or equal to 100,000 s.f. of indoor floor space to implement measures that reduce nitrogen oxides and particulate matter emissions and/or pay a fee to fund programs to improve regional air quality (SCAQMD, 2021b)²⁰.

4.2.3 METHODOLOGY FOR CALCULATING PROJECT-RELATED AIR QUALITY IMPACTS

The California Emissions Estimator Model (CalEEMod), version 2020.4.0, was used to calculate all Project-related air pollutant emissions (with the exception of localized emissions and diesel particulate matter emissions from Project operations, refer to Subsection 4.2.3B, below) (Urban Crossroads, 2022a, p. 41). The CalEEMod is a Statewide land use emission computer model developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts, including the SCAQMD, that provides a uniform platform to quantify potential criteria pollutant emissions associated with construction and operation of land development projects.

A Methodology for Calculating Project Construction Emissions

1. Regional Pollutant Emissions

The Project's construction process will last approximately 14 months. Project construction activities are assumed to occur between April 2022 and June 2023 for purposes of analysis in this EIR (refer to Table 3-1 in EIR Section 3.0), and will include six (6) activity phases: 1) demolition/crushing; 2) site preparation; 3) grading; 4) building construction; 5) paving; and 6) architectural coating. This assumption represents a "worst-case" analysis scenario because, should construction occur later than the dates assumed in the analysis, construction equipment emissions would be the same or more likely lower than presented because emission regulations are becoming more stringent over time and the retirement of older (higher-polluting) equipment and replacement with newer (less-polluting) pieces of equipment is constantly happening in response to State regulations or service needs (Urban Crossroads, 2022a, pp. 42-43). The air quality model for Project construction assumes the operation of the equipment listed in Table 3-2 in EIR Section 3.0. The analysis assumptions for Project construction duration and Project construction equipment are based on information provided by the Project Applicant and the experience and technical expertise of the Project's air quality technical expert (Urban Crossroads) (ibid.).

¹⁷ South Coast Air Quality Management District, 2013. *Rule 1113 Architectural Coating*. <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf?sfvrsn=24>

¹⁸ South Coast Air Quality Management District, 1995. *Rule 1301 General*. <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiii/rule-1301-general.pdf>

¹⁹ South Coast Air Quality Management District, 2017. *Rule 1401 New Source Review of Toxic Air Contaminants*. <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf>

²⁰ South Coast Air Quality Management District, 2021. *Rule 2305 Warehouse Indirect Source Rule – Warehouse Actions And Investments To Reduce Emissions (WAIRE) Program*. <http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf?sfvrsn=15>



Refer to Section 3.4 of the Project’s AQIA for more detail on the methodology utilized to calculate the Project’s estimated construction-related regional pollutant emissions.

2. Localized Pollutant Emissions

Project-related localized pollutant emissions were calculated in accordance with the SCAQMD’s *Final Localized Significance Threshold (LST) Methodology*. The localized pollutant emissions analysis relies on the same assumptions used to calculate construction-related regional pollutant emissions, as described above. Pursuant to the SCAQMD’s recommended methodology, the analysis of construction-related localized pollutant emissions included the following process (Urban Crossroads, 2022a, p. 52):

The CalEEMod was utilized to determine the maximum daily on-site emissions that would occur during construction activity. The SCAQMD’s *Fact Sheet for Applying CalEEMod to LSTs* was used to determine the maximum Project Site acreage that would be actively disturbed based on the construction equipment fleet and equipment hours as estimated in the CalEEMod. SCAQMD’s methodology recommends using look-up tables for projects less than or equal to five (5) acres in size and using dispersion modeling for projects greater than five (5) acres in size. The “acres disturbed” for analytical purposes are based on specific equipment type for each subcategory of construction activity and the estimated maximum area a given piece of equipment can pass over in an 8-hour workday. The equipment-specific disturbance rates were obtained from the CalEEMod user’s guide, *Appendix A: Calculation Details for CalEEMod* (October 2017). It should be noted that the disturbed area per day is representative of a piece of equipment making multiple passes over the same land area. In other words, one Rubber Tired Dozer can make multiple passes over the same land area totaling 0.5 acres in a given 8-hour day. Although the Project is anticipated to disturb more than five (5) acres per day during peak construction activities, for conservative purposes (to overstate potential impacts), the analysis assumes that all on-site emissions associated with the Project would occur within a concentrated five-acre area (Urban Crossroads, 2022a, pp. 53-54). Therefore, the SCAQMD’s screening look-up tables were utilized to determine localized pollutant concentration levels at sensitive receptor locations near the Project Site. Sensitive receptor locations are considered to be locations where children, the elderly, or an individual who might have respiratory difficulties could remain for 24 hours. A total of seven (7) sensitive receptor locations were considered in the localized analysis, including an existing church located north of the Project Site, an existing senior center located northeast of the Project Site, a hotel located southwest of the Project Site, and an existing middle school, warehouse, and dwelling units located west of the Project Site (Urban Crossroads, 2022a, pp. 54-55). The existing hotel located southwest of Valley Boulevard, approximately 399 feet southwest of the Project Site, would be the closest sensitive receptors to the Project (ibid.).

The SCAQMD’s *Final Localized Significance Threshold Methodology* indicates that off-site mobile emissions from development projects should be excluded from localized emissions analyses. Therefore, for purposes of calculating the Project’s construction-related localized pollutant emissions, only emissions included in the CalEEMod on-site emissions outputs were considered (Urban Crossroads, 2022a, p. 53).

Refer to Section 3.6 of the Project’s AQIA for more detail on the methodology utilized to calculate Project construction-related localized pollutant emissions.



B Methodology for Calculating Project Operational Emissions

1. Regional Pollutant Emissions

The Project’s operational-related regional pollutant emissions analysis quantifies air pollutant emissions from mobile sources, on-site equipment sources, area sources (e.g., architectural coatings, consumer products, landscape maintenance equipment), energy sources, and transportation refrigeration units (TRU) emissions (Urban Crossroads, 2022a, p. 45).

Mobile source emissions are the product of the number of daily vehicle trips generated by the Project, the composition of the Project’s vehicle fleet (mix of passenger cars, motorcycles, light-heavy-duty trucks, medium-heavy-duty trucks, and heavy-heavy duty trucks), and the trip length (number of miles driven) by Project vehicles. The Project’s average number of daily vehicle trips, vehicle fleet mix, and vehicle trip length were determined using the methodology utilized in the Project’s transportation analysis and described in detail in EIR Subsection 4.11, *Transportation*. The average trip length for Project-related trucks was 40.00 miles and the average trip length for all other Project-related passenger vehicles was 10.18 miles (Urban Crossroads, 2022a, p. 47).

In order to account for the possibility of refrigerated storage within the proposed building, a percentage of the trucks traveling to/from the Project Site are assumed to also have TRUs. For modeling purposes, approximately 20 percent of all trucks accessing the Project Site are modeled as being equipped with TRUs (140 two-way truck trips per day) (Urban Crossroads, 2022a, p. 49). The TRU calculations are based on the 2017 off-road emissions model, version 1.0.1 (Orion), developed by the CARB (ibid.). Orion does not provide emission rates per hour or mile as with the on-road emission model and only provides emission inventories. The emission inventory is based on specific assumptions including the average horsepower rating of specific types of equipment and the hours of operation annually. These assumptions are not always consistent with assumptions used in the modeling of project level emissions. Therefore, the emissions inventory was converted into emission rates to accurately calculate emissions from TRU operation associated with project level details (ibid.).

The Project’s operational analysis also assumes the operation of two yard-tractors (also known as a terminal tractor, yard goat, yard truck, yard mule, or yard dog) on the Project Site for up to four (4) hours per day for all 365 days of the year (Urban Crossroads, 2022a, p. 49). To be conservative, each yard tractor was assumed to be 200 horsepower and powered with gasoline or natural gas even though some/all may in actuality be powered by electricity (ibid.).

The estimated area source emissions and energy source emissions analyses for the Project rely on default inputs within CalEEMod (Urban Crossroads, 2022a, pp. 45-47).

Refer to Section 3.5 of the Project’s AQIA for detailed information on the methodology utilized to calculate regional pollutant emissions during Project operation.

2. Localized Pollutant Emissions

The LST Methodology provides look-up tables for sites with an area with daily disturbance of five (5) acres or less. For projects that exceed five acres, the LST look-up tables can be used as a screening tool to determine



which pollutants require additional detailed analysis. This approach is conservative as it assumes that all on-site emissions associated with a project would be concentrated within a five-acre area. This screening method over predicts potential localized impacts because, by assuming that on-site operational activities are occurring over a smaller area, the resulting volumes of air pollutants are more highly concentrated once they reach the smaller site boundary than they would be for activities if they were spread out over a larger surface area (Urban Crossroads, 2022a, pp. 58-59). As such, LSTs for a five-acre site during operations are used as a screening tool to determine if further detailed analysis is required (ibid.).

The LST analysis evaluates on-site emissions sources only because the CalEEMod outputs do not separate on-site and off-site mobile source emissions. Notwithstanding, for purposes of analysis, on-site mobile source emissions are estimated to be equivalent to five percent (5%) of the Project's one-way vehicle trip length (Urban Crossroads, 2022a, p. 59). Considering that for the Project's analysis the one-way trip length is 16.6 miles for passenger cars, 40 miles for truck trips, 5% of this total would represent an on-site travel distance of approximately 0.83-mile for passenger cars, and 2.0 miles for trucks (ibid.). Comparatively, the actual maximum distance a passenger car or truck could travel through the Project's parking lots would be approximately 0.75-mile. Accordingly, the 5% assumption used in the Project's analysis substantially overstates the actual localized impact of the Project's on-site mobile source emissions.

The operational LST analysis utilizes the same sensitive receptor locations that were utilized in the construction LST analysis, as described above in Subsection 4.2.3A2.

Refer to Section 3.8 of the Project's AQIA for detailed information on the methodology utilized to calculate the Project's operational localized pollutant emissions.

3. Diesel Particulate Matter Emissions

DPM emissions from trucks traveling to and from the Project Site were calculated using emission factors for PM₁₀ generated with EMISSION FACTOR (EMFAC) 2017 (Urban Crossroads, 2021a, pp. 8-13). Refer to Section 2.2 of the Project's HRA for a detailed description of the model inputs and equations used in the estimation of the Project-related DPM emissions.

The potential health risks of Project-related DPM emissions were quantified in accordance with the guidelines in the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (Urban Crossroads, 2021a, pp. 13-17). Pursuant to SCAQMD's recommendations, emissions were modeled using the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) software program (ibid.). Refer to Section 2.3 of the Project's HRA for a detailed description of the model inputs and equations used in the calculation of average particulate concentrations during operation of the Project.

Health risks associated with exposure to DPM emissions at a given concentration are defined in terms of the probability of developing cancer or chronic non-cancer health effects as a result of exposure to DPM emissions at a given concentration. The cancer and non-cancer risk probabilities are determined through a series of equations to calculate unit risk factor, cancer potency factor, and chronic daily intake. The evaluation results in a maximum health risk value, which is merely a calculation of risk and does not necessarily mean anyone will contract cancer or other non-cancer health concern as a result of the exposure. The equations and input



factors utilized in the Project analysis were obtained from Office of Environmental Health Hazard Assessment (OEHHA) (Urban Crossroads, 2021a, pp. 17-18). Refer to Section 2.4 of the Project’s HRA for a detailed description of the variable inputs and equations used in the calculations of receptor population health risks associated with Project operations.

4.2.4 BASIS FOR DETERMINING SIGNIFICANCE

The proposed Project would result in a significant impact to air quality if the Project or any Project-related component would:

- a. *Conflict with or obstruct implementation of the applicable air quality plan;*
- b. *Result in a cumulatively-considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);*
- c. *Expose sensitive receptors to substantial pollutant concentrations; or*
- d. *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.*

The above-listed thresholds are taken from Appendix G to the CEQA Guidelines and address the typical, adverse effects to regional and local air quality that could result from development projects.

The Project would result in a significant impact under Threshold “a” if the Project were determined to conflict with the SCAQMD 2016 AQMP. Pursuant to Chapter 12, Sections 12.2 and 12.3, of the SCAQMD CEQA Air Quality Handbook, a project would conflict with the AQMP if either of the following conditions were to occur (Urban Crossroads, 2022a, pp. 62-63):

- The Project would increase the frequency or severity of existing NAAQS and/or CAAQS violations, cause or contribute to new air quality violations, or delay the attainment of interim air quality standards; or
- The Project would exceed the 2016 AQMP’s future year buildout assumptions.

For evaluation under Threshold “b,” per SCAQMD’s cumulative impact analysis guidance in their *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, implementation of the Project would result in a cumulatively-considerable impact if the Project’s construction and/or operational activities exceed one or more of the SCAQMD’s “Regional Thresholds” for criteria pollutant emissions (Urban Crossroads, 2022a, pp. 40, 67). The “Regional Thresholds” established by SCAQMD for criteria pollutants are summarized in Table 4.2-5, *SCAQMD Maximum Daily Emissions Regional Thresholds*.



Table 4.2-5 SCAQMD Maximum Daily Emissions Regional Thresholds

Pollutant	Regional Construction Threshold	Regional Operational Thresholds
NO _x	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM ₁₀	150 lbs/day	150 lbs/day
PM _{2.5}	55 lbs/day	55 lbs/day
SO _x	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Pb	3 lbs/day	3 lbs/day

Lbs/day = Pounds Per Day

Source: (Urban Crossroads, 2022a, Table 3-1)

For evaluation under Threshold “c,” the Project would result in a significant impact if any of the following were to occur:

- The Project’s localized criteria pollutant emissions would exceed one or more of the SCAQMD “Localized Thresholds” listed in Table 4.2-6, *SCAQMD Maximum Daily Emissions Construction Localized Thresholds* and Table 4.2-7, *SCAQMD Maximum Daily Emissions Operational Localized Thresholds*;
- The Project would cause or contribute to a CO “Hot Spot;” and/or
- The Project’s toxic air contaminant emissions, like DPM, would expose sensitive receptor populations to an incremental cancer risk of greater than 10 in one million; and/or result in a non-carcinogenic health risk rating (“Acute Hazard Index”) greater than 1.0.

Table 4.2-6 SCAQMD Maximum Daily Emissions Construction Localized Thresholds

Pollutant	Construction Localized Thresholds
NO _x	270 lbs/day
CO	1,746 lbs/day
PM ₁₀	74 lbs/day
PM _{2.5}	21 lbs/day

Source: Localized Thresholds presented in this table are based on the SCAQMD Final LST Methodology, July 2008

Source: (Urban Crossroads, 2022a, Table 3-11)



Table 4.2-7 SCAQMD Maximum Daily Emissions Operational Localized Thresholds

Pollutant	Operational Localized Thresholds
NO _x	270 lbs/day
CO	1,746 lbs/day
PM ₁₀	18 lbs/day
PM _{2.5}	6 lbs/day

Source: Localized Thresholds presented in this table are based on the SCAQMD Final LST Methodology, July 2008

Source: (Urban Crossroads, 2022a, Table 3-13)

For evaluation under Threshold “d,” a significant impact would occur if the Project’s construction and/or operational activities result in air emissions leading to an odor nuisance pursuant to SCAQMD Rule 402.

4.2.5 IMPACT ANALYSIS

Threshold “a:” Would the Project conflict with or obstruct implementation of the applicable air quality plan?

The SCAQMD 2016 AQMP, which is the applicable air quality plan for the Project area, addresses long-term air quality conditions for the SCAB. The criteria for determining consistency with the 2016 AQMP are analyzed below.

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

Consistency Criterion No. 1 refers to violations of the NAAQS and CAAQS. Violations of the NAAQS and/or CAAQS would occur if the emissions resulting from the Project were to exceed the SCAQMD’s localized emissions thresholds. As a conservative measure, the Project’s regional emissions of VOC, NO_x, PM₁₀, and PM_{2.5} also are considered in the consistency determination because if the Project’s emissions of any of these pollutants would exceed the applicable SCAQMD regional thresholds, then these emissions could delay the SCAB’s attainment of federal and/or State ozone or particulate matter standards. As disclosed under the analysis for Threshold “c,” below, Project-related activities would not exceed SCAQMD localized emissions thresholds during construction or long-term operation; however, as disclosed under the analysis for Threshold “b,” below, Project-related construction and operational activities would exceed the SCAQMD regional emissions thresholds for NO_x. NO_x is a precursor for ozone; thus, Project operational activities would contribute a substantial volume of pollutants to the SCAB that could delay the attainment of federal and State ozone standards. As such, prior to mitigation the Project would conflict with Consistency Criterion No. 1.



- *Consistency Criterion No. 2: The proposed project will not exceed the assumptions in the AQMP based on the years of project buildout phase.*

The air quality conditions presented in the 2016 AQMP are based on the growth forecasts identified by SCAG in its 2016-2040 RTP/SCS. The 2016-2040 RTP/SCS anticipates that development in the various incorporated and unincorporated areas within the SCAB will occur in accordance with the adopted general plans for these areas. As such, development projects that propose to change the land use and/or increase the development intensity of an individual property may result in increased stationary area source emissions and/or mobile source emissions when compared to the 2016 AQMP assumptions. If a development project does not exceed the growth projections in the applicable local general plan, then the project is considered to be consistent with the growth assumptions in the AQMP.

Under existing conditions, the southern portion of the Project Site is designated for “G-C” land use by the City’s General Plan Land Use Map. The Project includes a request to change the existing General Plan land use designation for the southern portion of the Project Site from “G-C” to “B-P,” which, if approved, would result in a land use and development intensity that was not anticipated by the General Plan and, by extension, the growth models that were used in the 2016 AQMP. Accordingly, implementation of the Project would exceed the assumptions in the AQMP based on the years of project buildout phase, and therefore would conflict with Consistency Criterion No. 2 (Urban Crossroads, 2022a, pp. 63-64).

In summary, because the proposed Project does not satisfy Consistency Criterion No. 1 or Consistency Criterion No. 2, the Project is determined to be inconsistent with the 2016 AQMP. As such, the Project would conflict with and could result in the obstruction of the applicable AQMP and a potentially significant impact would occur. As discussed in detail below, while the imposition of all feasible mitigation measures would reduce consistency impacts with respect to construction of the Project, impacts for Project operation would remain significant and unavoidable, and no feasible mitigation exists that would reduce those impacts to a less than significant level.

Threshold “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?

As noted earlier in this Subsection, the SCAB has a “non-attainment” designation for ozone (1- and 8-hour) and particulate matter (PM_{2.5} and PM₁₀) under existing conditions. Refer to Subsection 4.2.1D for more information on existing air quality conditions in the SCAB.

A Construction Emissions Impact Analysis

Peak Project-related construction emissions are summarized in Table 4.2-8, *Peak Construction Emissions Summary*. Detailed air model outputs are presented in Appendices 3.1 and 3.2 of the Project’s AQIA.

As shown in Table 4.2-8, peak construction-related emissions of VOC, CO, SO_x, and particulate matter (PM₁₀ and PM_{2.5}) would not exceed the applicable SCAQMD regional thresholds. Accordingly, the Project’s



Table 4.2-8 Peak Construction Emissions Summary

Year	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
2022	8.75	98.40	60.27	0.27	34.89	10.87
2023	64.57	75.55	85.59	0.20	9.50	4.71
Winter						
2022	8.74	100.51	59.98	0.27	34.89	10.87
2023	64.49	75.85	82.36	0.20	9.50	4.71
Maximum Daily Emissions	64.57	100.51	85.59	0.27	34.89	10.87
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	NO	YES	NO	NO	NO	NO

Source: CalEEMod construction-source (unmitigated) emissions are presented in Appendix 3.1 of the Project’s AQIA

Source: (Urban Crossroads, 2022a, Table 3-5)

construction activities would not emit substantial concentrations of these pollutants and would not contribute to an existing or projected air quality violation on a cumulatively-considerable basis. Project construction impacts related to emissions of VOC, CO, SO_x, PM₁₀, and PM_{2.5} would all be less than significant, even without mitigation.

However, Project-related construction emissions of NO_x would exceed the applicable SCAQMD regional threshold. NO_x is a precursor for ozone, a pollutant for which the SCAB does not attain federal (NAAQS) or State (CAAQS) standards (Urban Crossroads, 2022a, pp. 15, 44). Accordingly, daily NO_x emissions during Project construction would violate the applicable SCAQMD regional threshold and would potentially result in a considerable net increase of a criteria pollutant for which the SCAB is in nonattainment. This impact is potentially significant and mitigation is required.

However, after the implementation of Mitigation Measure 4.2-3, as described in more detail herein, the Project’s peak construction emissions of all criteria pollutants, including NO_x, would be reduced to a less than significant level. (See, Table 4.2-12)

B Operational Emissions Impact Analysis

Operation of the Project would result in emissions from area sources, energy sources, mobile sources, on-site equipment, and TRU emissions. Area source emissions include evaporation of solvents in architectural coatings, organic compounds from consumer products, and fuel from landscape maintenance equipment. Energy source emissions include combustion emissions associated with natural gas and electricity. Mobile source emissions include emissions from vehicles and fugitive dust related to vehicular travel. On-site equipment emissions include emissions from cargo handling equipment such as yard goats. TRU emissions include emissions from trucks with cold storage. Refer to subsection 3.5 of the Project’s AQIA for a detailed discussion of the Project’s potential emissions from area sources, energy sources, mobile sources, on-site equipment, and TRUs.

The Project’s peak operational emissions are presented in Table 4.2-9, *Project Operational Emissions Summary*. In Table 4.2-9, emissions from existing development/uses on the Project Site were subtracted from the Project operational emissions to determine the new, net emissions from the proposed Project. Detailed air model outputs are presented in Appendices 3.4 and 3.5 of the Project’s AQIA.



Table 4.2-9 Project Operational Emissions Summary

Source	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
Area Source	11.16	1.38E-03	0.15	1.00E-05	5.40E-04	5.40E-04
Energy Source	0.17	1.58	1.33	9.49E-03	0.12	0.12
Mobile Source	5.89	118.50	67.83	0.77	34.68	10.52
TRU Source	0.79	9.01	12.20	2.27E-03	0.04	0.04
On-Site Equipment Source	0.22	2.07	1.50	6.33E-03	0.08	0.07
Total Maximum Daily Emissions	18.23	130.75	83.02	0.79	34.92	10.75
<i>Existing Emissions</i>	<i>1.68</i>	<i>12.83</i>	<i>8.03</i>	<i>0.08</i>	<i>3.85</i>	<i>1.16</i>
Net Emissions (Project – Existing)	16.55	117.92	74.98	0.71	31.07	9.59
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	NO	YES	NO	NO	NO	NO
Winter						
Area Source	11.16	1.38E-03	0.15	1.00E-05	5.40E-04	5.40E-04
Energy Source	0.17	1.58	1.33	9.49E-03	0.12	0.12
Mobile Source	5.32	124.04	63.47	0.77	34.68	10.52
TRU Source	0.79	9.01	12.20	1.27E-03	0.04	0.04
On-Site Equipment Source	0.22	2.07	1.50	6.33E-03	0.08	0.07
Total Maximum Daily Emissions	17.66	136.70	78.65	0.79	34.92	10.75
<i>Existing Emissions</i>	<i>1.60</i>	<i>13.47</i>	<i>7.53</i>	<i>0.08</i>	<i>3.85</i>	<i>1.16</i>
Net Emissions (Project – Existing)	16.06	123.23	71.12	0.70	31.07	9.59
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	NO	YES	NO	NO	NO	NO

Source: CalEEMod operational-source emissions are presented in Appendices 3.4 and 3.5 of the Project’s AQIA.
Source: (Urban Crossroads, 2022a, Table 3-10)

As shown in Table 4.2-9, peak, gross operational-related emissions of VOC, CO, SO_x, and particulate matter (PM₁₀ and PM_{2.5}) would not exceed the applicable SCAQMD regional thresholds (even without netting out existing emissions from on-site operations). Accordingly, Project operational activities would not emit substantial concentrations of these pollutants and would not contribute to an existing or projected air quality violation on a cumulatively-considerable basis. Impacts associated with Project operational emissions of VOC, CO, SO_x, PM₁₀ and PM_{2.5} would be less than significant and mitigation is not required.

However, Project operational NO_x emissions, which primarily are emitted from consumer products and vehicle tailpipes, respectively, would exceed the applicable SCAQMD regional threshold. VOCs and NO_x are precursors for ozone, a pollutant for which the SCAB does not attain federal (NAAQS) or State (CAAQS) standards. Accordingly, the Project’s daily NO_x emissions during long-term operation would violate the SCAQMD regional threshold for these pollutants and would result in a cumulatively-considerable net increase of a criteria pollutant for which the Project region is in nonattainment. This impact is significant and mitigation is required.

After the implementation of all feasible mitigation measures, as described in more detail herein, the Project’s operational NO_x emissions would be reduced, but not below the applicable threshold of significance. (See, Table 4.2-13) No additional feasible mitigation measures exist that would reduce impacts to a less than significant level, and therefore it would remain significant and unavoidable.



Threshold “c:” Would the Project expose sensitive receptors to substantial pollutant concentrations?

A Localized Criteria Pollutant Analysis

1. Construction Analysis

As shown in Table 4.2-10, *Peak Construction Localized Emissions Summary*, the Project’s localized NO_x, CO, and particulate matter (PM₁₀ and PM_{2.5}) emissions would not exceed applicable SCAQMD thresholds during Project construction. Accordingly, Project construction would not expose any sensitive receptors in the vicinity of the Project Site to substantial criteria pollutant concentrations. Impacts would be less than significant and no mitigation would be required.

Table 4.2-10 Peak Construction Localized Emissions Summary

On-Site Emissions	Emissions (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Demolition/Crushing				
Maximum Daily Emissions	56.11	46.60	28.73	6.53
SCAQMD Localized Threshold	270	1,746	74	21
Threshold Exceeded?	NO	NO	NO	NO
Site Preparation				
Maximum Daily Emissions	85.91	34.07	24.10	10.77
SCAQMD Localized Threshold	270	1,746	74	21
Threshold Exceeded?	NO	NO	NO	NO
Grading				
Maximum Daily Emissions	94.95	58.36	17.20	7.03
SCAQMD Localized Threshold	270	1,746	74	21
Threshold Exceeded?	NO	NO	NO	NO
Building Construction				
Maximum Daily Emissions	52.46	31.87	2.25	2.11
SCAQMD Localized Threshold	270	1,746	74	21
Threshold Exceeded?	NO	NO	NO	NO
Paving				
Maximum Daily Emissions	20.38	29.17	1.02	0.94
SCAQMD Localized Threshold	270	1,746	74	21
Threshold Exceeded?	NO	NO	NO	NO
Architectural Coating				
Maximum Daily Emissions	3.47	4.83	0.19	0.19
SCAQMD Localized Threshold	270	1,746	74	21
Threshold Exceeded?	NO	NO	NO	NO

Source: CalEEMod unmitigated localized construction-source emissions are presented in Appendix 3.1 of the Project’s AQIA.

Source: (Urban Crossroads, 2022a, Table 3-12)

2. Operational Analysis

As shown in Table 4.2-11, the Project would not exceed the applicable SCAQMD thresholds for localized NO_x, CO, and particulate matter (PM₁₀ and PM_{2.5}) emissions. Accordingly, implementation of the Project would not expose any sensitive receptors in the vicinity of the Project Site to substantial pollutant concentrations. Impacts would be less than significant and no mitigation is required.



Table 4.2-11 Peak Operational Localized Emissions Summary

On-Site Emissions	Emissions (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Daily Emissions	10.31	6.98	1.93	0.72
SCAQMD Localized Threshold	270	1,746	18	6
Threshold Exceeded?	NO	NO	NO	NO

Source: CalEEMod localized operational-source emissions are presented in Appendices 3.4 and 3.5 of the Project’s AQIA.

Source: (Urban Crossroads, 2022a, Table 3-14)

B CO Hot Spot Impact Analysis

A CO “hot spot” is an isolated geographic area where localized concentrations of CO exceeds the CAAQS one-hour (20 parts per million) or eight-hour (9 parts per million) standards. A Project-specific CO “hot spot” analysis was not performed because CO attainment in the SCAB was thoroughly analyzed as part of SCAQMD’s 2003 AQMP and the 1992 Federal Attainment for Carbon Monoxide Plan (1992 CO Plan) (Urban Crossroads, 2022a, pp. 60-62). As identified in the SCAQMD’s 2003 AQMP and the 1992 CO Plan, peak CO concentrations in the SCAB were the byproduct of unusual meteorological and topographical conditions and were not the result of traffic congestion (ibid.). For context, the CO “hot spot” analysis performed for the 2003 AQMP recorded a CO concentration of 9.3 parts per million (8-hour) at the Long Beach Boulevard/Imperial Highway intersection in Los Angeles County; however, only a small portion of the recorded CO concentrations (0.7 parts per million) were attributable to traffic congestion at the intersection (ibid.). The vast majority of the recorded CO concentrations at the Long Beach Boulevard/Imperial Highway intersection (8.6 parts per million) were attributable to ambient air concentrations (ibid.). In comparison, the busiest intersections in the Project Site vicinity would not experience peak congestion levels or ambient CO concentrations comparable to the conditions observed at the Long Beach Boulevard/Imperial Highway intersection (ibid.). Data from several air districts/studies indicate that under existing and future vehicle emission rates, a given project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour – or 24,000 vehicles per hour where vertical and/or horizontal air does not mix – in order to generate a significant CO impact (ibid.). The Project would not produce the volume of traffic required to generate a CO hotspot based on the referenced studies (ibid.). Based on the relatively low traffic congestion levels, low existing ambient CO concentrations, and the lack of any unusual meteorological and/or topographical conditions in the Project Site vicinity, the Project is not expected to cause or contribute to a CO “hot spot” (Urban Crossroads, 2022a, pp. 60-62). Impacts would be less than significant and mitigation is not required.

C Toxic Air Contaminant Emissions Impact Analysis

Based on the typical operations at warehouse distribution facilities and loading bays, which do not include smoke stacks or other stationary point-sources of air pollutant emissions, the Project is not expected to result in stationary emissions of toxic air contaminants. However, operation of the Project would generate/attract diesel-fueled trucks. Diesel-fueled trucks produce DPM, which is a toxic air contaminant and is known to be associated with acute and chronic health hazards – including cancer. Project-related DPM health risks are summarized below. Detailed air dispersion model outputs and risk calculations are presented in Appendices 2.1 and 2.2 of the Project’s HRA.



At the maximally exposed individual receptor (MEIR), which is a residence located approximately 536 feet west of the Project Site, the maximum incremental cancer risk attributable to the DPM emissions from trucks traveling to/from the Project Site is calculated to be 0.06 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million (Urban Crossroads, 2021a, p. 1). The non-cancer health risk index at the MEIR is estimated to be <0.01, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0 (ibid.). All other residential locations in the vicinity of the Project Site located farther from the Project Site than the MEIR would be exposed to lower concentrations of Project-related DPM emissions due to their increased distance from Project-related diesel-fueled truck operations and, therefore, are at less risk – and would be impacted to a lesser degree – than the MEIR identified herein. The Project would not directly cause or contribute in a cumulatively-considerable manner to the exposure of residential receptors near the Project Site to substantial DPM emissions. Impacts to residential receptors would be less than significant.

At the maximally exposed individual worker (MEIW), the Steel Unlimited, Inc. facility (located approximately 10 feet west of the Project Site), the maximum incremental cancer risk attributable to the DPM emissions from trucks traveling to/from the Project Site is calculated to be 0.47 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million (Urban Crossroads, 2021a, p. 1). The non-cancer health risk index at the MEIW is estimated to be <0.01, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0 (ibid.). Places of business located farther than 10 feet from the Project’s activities would be impacted to a lesser degree than the MEIW due to their increased distance from Project diesel-fueled truck operations. The Project would not directly cause or contribute in a cumulatively-considerable manner to the exposure of worker receptors near the Project Site to substantial DPM emissions. Impacts to worker receptors would be less than significant.

At the maximally exposed individual school child (MEISC), the Joe Baca Middle School (located approximately 846 feet west of the Project Site), the maximum incremental cancer risk attributable to the DPM emissions from trucks traveling to/from the Project Site is calculated to be 0.12 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million (Urban Crossroads, 2021a, p. 1). The non-cancer health risk index at the MEISC is estimated to be <0.01, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0 (ibid.). Schools located farther than 846 feet from the Project’s activities would be impacted to a lesser degree than the MEISC due to their increased distance from Project diesel-fueled truck operations. The Project would not directly cause or contribute in a cumulatively-considerable manner to the exposure of worker receptors near the Project Site to substantial DPM emissions. Impacts to worker receptors would be less than significant.

For all the reasons set forth above, all of the Project’s potential impacts relating to exposing sensitive receptors to pollutants, specifically including all impacts relating to health risks, would be less than significant.

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

During construction activities on the Project Site, odors could be produced by construction equipment exhaust or from the application of asphalt and/or architectural coatings. However, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion



of the respective phase of construction. In addition, construction activities on the Project Site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance (Urban Crossroads, 2022a, p. 66). Accordingly, the Project’s construction would not create objectionable odors affecting a substantial number of people and all impacts would be less than significant.

During long-term operation, Project would operate as a warehouse distribution facility, which is not typically associated with the emission of objectionable odors. Temporary outdoor refuse storage could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City’s solid waste regulations, thereby precluding any significant odor impact. Furthermore, the occupant(s) of the proposed warehouse building would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance, during long-term operation (Urban Crossroads, 2022a, p. 66). As such, long-term operation of the Project would not create objectionable odors affecting a substantial number of people and all impacts would be less than significant.

4.2.6 CUMULATIVE IMPACT ANALYSIS

The *AQMP* evaluates regional conditions within the Basin and sets regional emission significance thresholds for both construction and operation of development projects that apply to project-specific impacts and cumulatively-considerable impacts. Thus, if a project exceeds the SCAQMD regional emissions thresholds, project-specific impacts would also result in a cumulatively-considerable increase in emissions for those pollutants for which the basin is non-attainment. As described under the analysis for Threshold “a,” Project implementation would conflict with the SCAQMD’s 2016 *AQMP* because the Project would contribute to existing local air quality violations and exceed growth projections used in the *AQMP* (which would result in air pollutant emissions that were not anticipated in the *AQMP*). Based on the SCAQMD’s regional emissions thresholds, the Project’s conflict with the *AQMP* is determined to be a significant cumulatively-considerable impact.

Based on SCAQMD guidance, any exceedance of a regional or localized threshold for criteria pollutants also is considered to be a cumulatively-considerable effect, while air pollutant emissions that fall below applicable regional and/or localized thresholds are not considered cumulatively-considerable. As discussed in the response to Threshold “b,” the SCAQMD regional thresholds for NO_x emissions would be exceeded during Project construction activities and operation. Therefore, the Project’s operational NO_x emissions would be cumulatively-considerable and mitigation would be required.

As discussed under the analysis for Threshold “c,” all Project-related construction- and operational localized air pollutant emissions – including DPM – would not exceed the applicable SCAQMD thresholds and, therefore, are not considered cumulatively-considerable.

As indicated in the analysis of Threshold “d,” above, there are no Project components that would expose a substantial number of sensitive receptors to objectionable odors. There are no known sources of offensive odors in the Project area. Because the Project’s construction and operation would not create substantial and objectionable odors and because there are no sources of objectionable odors in the areas immediately surrounding the Project Site, there is no potential for odors from the Project Site to commingle with odors from



nearby development projects and expose nearby sensitive receptors to substantial, offensive odors. Accordingly, implementation of the Project would result in a less-than-significant cumulative impact related to odors.

4.2.7 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold “a:” Significant Direct and Cumulatively-Considerable Impact. The Project would exceed the growth projections contained in SCAQMD’s 2016 AQMP and, also, would emit air pollutants that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB. As such, the Project would conflict with and could obstruct implementation of the AQMP, and impacts would be potentially significant.

Threshold “b:” Significant Direct and Cumulatively-Considerable Impact. Project-related activities would exceed the applicable SCAQMD regional thresholds for NO_x emissions during construction and long-term operation. As such, Project-related emissions would violate SCAQMD air quality standards and contribute to the non-attainment of ozone standards in the SCAB, and impacts would be significant.

Threshold “c:” Less-than-Significant Impact. Implementation of the Project would not: 1) exceed applicable SCAQMD localized criteria pollution emissions thresholds during construction and operation; 2) would not expose sensitive receptors to toxic air contaminants (i.e., DPM) that exceed the applicable SCAQMD carcinogenic and non-carcinogenic risk thresholds; and 3) would not cause or contribute to the formation of a CO “hot spot.”

Threshold “d:” Less-than-Significant Impact. The Project would not produce air emissions that would lead to unusual or substantial construction-related or operational-related odors. The Project is required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance.

4.2.8 MITIGATION

Although the Project’s construction-related particulate matter (PM₁₀ and PM_{2.5}) emissions would be less than significant, and compliance with regulatory requirements are not required to be repeated as mitigation, the following mitigation measures (MMs) would ensure compliance with standard SCAQMD rules and minimize the Project’s construction-related particulate matter emissions.

MM 4.2-1 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 403, “Fugitive Dust.” Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving, grading, and equipment travel on unpaved roads. Rule 403 also requires activities defined as “large operations” to notify the SCAQMD by submitting specific forms. The following notes shall be listed on the Project’s grading plans, to be confirmed by the City of Rialto prior to grading permit issuance. Project construction contractors shall be required by their contracts to ensure compliance with the notes, submit any required “large operations” forms to the SCAQMD, and permit periodic inspection of the construction site by City of Rialto staff or its designee to confirm compliance.



- a) During grading and ground-disturbing construction activities, the construction contractor shall ensure that all unpaved roads, active soil stockpiles, and areas undergoing active ground disturbance within the Project Site are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas by water truck, sprinkler system, or other comparable means, shall occur in the mid-morning, afternoon, and after work is done for the day. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off-site.
- b) Temporary signs shall be installed on the construction site along all unpaved roads indicating a maximum speed limit of 15 miles per hour (MPH). The signs shall be installed before construction activities commence and remain in place for the duration of construction activities that include vehicle activities on unpaved roads.
- c) Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.
- d) Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (e.g., install wheel shakers, wheel washers, limit site access).
- e) When materials are transported off-site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
- f) All street frontages adjacent to the construction site shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing water trucks (reclaimed water, if available) if visible soil materials are carried to adjacent streets.
- g) Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and initiate corrective action to legitimate complaints within 24 hours.
- h) Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.
- i) Any on-site stock piles of debris, dirt, or other dusty material shall be covered or watered as necessary to minimize fugitive dust pursuant to SCAQMD Rule 403.
- j) A high wind response plan shall be formulated and implemented for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.

MM 4.2-2 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 1186 “PM₁₀ Emissions from Paved and Unpaved Roads and Livestock Operations” and Rule 1186.1, “Less-Polluting Street Sweepers” by complying with the following requirements. To ensure and enforce compliance with these requirements, prior to grading and building permit issuance, the City of Rialto shall verify that the following notes are included on the



grading and building plans and within the construction management plan. Project construction contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by City of Rialto staff or its designee to confirm compliance.

- a) If visible dirt or accumulated dust is carried onto paved roads during construction, the contractor shall remove such dirt and dust at the end of each work day by street cleaning.
- b) Street sweepers shall be certified by the South Coast Air Quality Management District as meeting the Rule 1186 sweeper certification procedures and requirements for PM10-efficient sweepers. All street sweepers having a gross vehicle weight of 14,000 pounds or more shall be powered with alternative (non-diesel) fuel or otherwise comply with South Coast Air Quality Management District Rule 1186.1.

The following mitigation measure would reduce the Project's construction-related NO_x emissions and the contributions of this pollutant to the SCAB's non-attainment status for ozone:

MM 4.2-3 Project construction contractors shall assure that construction equipment greater than 150 horsepower achieves or is equivalent to Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 emissions standards. Also, Project construction contractors shall tune and maintain all construction equipment in accordance with the equipment manufacturer's recommended maintenance schedule and specifications. Maintenance records for all pieces of equipment shall be kept on-site for the duration of construction activities and shall be made available for periodic inspection by City of Rialto staff or their designee.

The following mitigation measures would reduce the Project's operational-related NO_x emissions and the contributions of this pollutant to the SCAB's non-attainment status for ozone.

MM 4.2-4 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use for more than five (5) minutes; and 2) instructions for drivers of diesel trucks to restrict idling to no more than five (5) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged. Prior to the issuance of an occupancy permit, the City of Rialto shall conduct a site inspection to ensure that the signs are in place.

MM 4.2-5 Prior to building permit issuance, the City of Rialto shall ensure that the parking lot striping and security gating plan allows for adequate truck stacking at gates to prevent queuing of trucks outside the property.

MM 4.2-6 Prior to the issuance of a building permit, the Project Applicant or successor in interest shall provide documentation to the City of Rialto demonstrating that the Project is designed to include the energy efficiency design features listed below at a minimum.



- a) Preferential parking locations for carpool, vanpool, EVs and CNG vehicles;
- b) Secure, weather protected bicycle parking;
- c) Installation of the minimum number of passenger vehicle EV charging stations required by Title 24 and the installation of conduit at a minimum of five (5) percent of the Project's total number of automobile parking spaces to accommodate the future, optional installation of EV charging infrastructure;
- d) The building's roof shall be designed and constructed to accommodate the potential, future construction of maximally-sized photovoltaic (PV) solar arrays taking into consideration limitations imposed by other rooftop equipment, roof warranties, building and fire code requirements, and other physical or legal limitations. The building shall include an electrical system and other infrastructure sufficiently-sized to accommodate the potential installation of maximally-sized PV arrays in the future. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage which informs future occupants/owners of the existence of this infrastructure;
- e) The building's electrical room shall be sufficiently sized so that additional panels can be added in the future, if needed, to supply power for the future installation of EV truck charging stations on the site.
- f) The building's electrical room shall be sufficiently sized so that additional panels can be added in the future, if needed, to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods.
- g) Outdoor electrical outlets are provided in reasonable locations to maximize the opportunities to use electric-powered landscape maintenance equipment.
- h) Use of light-colored paving materials in the passenger vehicle parking areas, drive aisles, and/or truck court;
- i) Use of light-colored roofing materials;
- j) Use of solar or light-emitting diode (LED) fixtures for outdoor lighting;
- k) All heating, cooling, and lighting devices and appliances shall be Energy Star certified; and
- l) All fixtures installed in restrooms and employee break areas shall be U.S. EPA Certified WaterSense or equivalent.

MM 4.2-7

Prior to issuance of occupancy permits, the Project Applicant or successor in interest shall provide the City of Rialto with an information packet that will be provided to future building occupants that: 1) provides information regarding the grants available from the Carl Moyer Memorial Air Quality Standards Attainment Program for energy efficiency improvement features – including truck modernization, retrofits, and/or aerodynamic kits and low rolling resistance tires – and the resulting benefits to air quality; 2) recommends the use of electric or alternatively-fueled sweepers with HEPA filters; 3) recommends the use of water-based or low VOC cleaning and 4) for occupants with more than 250 employees, information related to



SCAQMD Rule 2202, which requires the establishment of a transportation demand management program to reduce employee commute vehicle emissions.

MM 4.2-8 Prior to the issuance of occupancy permits, the Project Applicant or successor in interest shall provide the City of Rialto with an information packet that will be provided to future building occupants regarding EPA Smartway features that are required to be incorporated into haul trucks, as required by CARB. Also, Project operators shall maintain a daily log of incoming and outgoing haul trucks that are fitted with the combination of aerodynamic kits and low rolling resistance tires to reduce fuel consumption.

MM 4.2-9 Prior to issuance of occupancy permits, the Project Applicant or successor in interest shall establish a Transportation Management Association (TMA) or similar mechanism, or partner with an already established TMA to encourage and coordinate carpooling. The TMA shall advertise its services to the building occupants and offer transit incentives to employees and provide shuttle service to and from public transit, should a minimum of five employees request and use such service from a transit stop at the same drop-off and/or pickup time. The TMA shall distribute public transportation information to its employees and provide electronic message board space for coordination rides.

4.2.9 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold “a:” Less-than-Significant Impact with Mitigation (Construction). Implementation of MM 4.2-3 would require the Project construction contractor to utilize construction equipment (150 horsepower or greater) that achieves or is equivalent to EPA/CARB Tier 3. With implementation of the required mitigation, the Project’s NO_x emissions during construction activities would be reduced to less than significant, as shown on Table 4.2-12, *Peak Construction Emission Summary with Mitigation*. Cumulatively-considerable impacts would likewise be reduced to less than significant.

Table 4.2-12 Peak Construction Emission Summary with Mitigation

Year	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
2022	4.87	82.79	82.66	0.27	34.00	9.25
2023	62.89	66.43	97.74	0.20	9.10	4.41
Winter						
2022	4.79	84.90	82.37	0.27	34.00	9.25
2023	62.81	66.73	94.52	0.20	9.10	4.42
Maximum Daily Emissions	62.89	84.90	97.74	0.27	34.00	9.25
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	NO	NO	NO	NO	NO	NO

Source: CalEEMod construction-source (mitigated) emissions are presented in Appendix 3.2 of the Project’s AQIA.

Source: (Urban Crossroads, 2022a, Table 3-6)

Threshold “a:” Significant and Unavoidable Direct and Cumulatively-Considerable Impact (Operation). Although MM 4.2-4 through MM 4.2-9 would reduce the Project’s operational-related emissions of NO_x, as noted below under the discussion for Threshold “b,” the mitigation measures would not reduce operational



NO_x emissions to below the applicable SCAQMD regional threshold, as shown on Table 4.2-13. Note, because application of MM 4.2-4 through MM 4.2-9 require certain actions/activities that may vary based on the type or size of business(es) that occupy the Project, Table 4.2-13 does not take credit for any emissions reductions that cannot be precisely quantified at this point in time.

Table 4.2-13 Peak Operational Emission Summary with Mitigation

Source	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
Area Source	11.16	1.38E-03	0.15	1.00E-05	5.40E-04	5.40E-04
Energy Source	0.17	1.58	1.33	9.49E-03	0.12	0.12
Mobile Source	5.89	118.50	67.83	0.77	34.68	10.52
TRU Source	0.79	9.01	12.20	2.27E-03	0.04	0.04
On-Site Equipment Source	0.22	2.07	1.50	6.33E-03	0.08	0.07
Total Maximum Daily Emissions	18.23	130.75	83.02	0.79	34.92	10.75
<i>Existing Emissions</i>	<i>1.68</i>	<i>12.83</i>	<i>8.03</i>	<i>0.08</i>	<i>3.85</i>	<i>1.16</i>
Net Emissions (Project – Existing)	16.55	117.92	74.98	0.71	31.07	9.59
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	NO	YES	NO	NO	NO	NO
Winter						
Area Source	11.16	1.38E-03	0.15	1.00E-05	5.40E-04	5.40E-04
Energy Source	0.17	1.58	1.33	9.49E-03	0.12	0.12
Mobile Source	5.32	124.04	63.47	0.77	34.68	10.52
TRU Source	0.79	9.01	12.20	1.27E-03	0.04	0.04
On-Site Equipment Source	0.22	2.07	1.50	6.33E-03	0.08	0.07
Total Maximum Daily Emissions	17.66	136.70	78.65	0.79	34.92	10.75
<i>Existing Emissions</i>	<i>1.60</i>	<i>13.47</i>	<i>7.53</i>	<i>0.08</i>	<i>3.85</i>	<i>1.16</i>
Net Emissions (Project – Existing)	16.06	123.23	71.12	0.70	31.07	9.59
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	NO	YES	NO	NO	NO	NO

Source: CalEEMod operational-source emissions are presented in Appendices 3.4 and 3.5 of the Project’s AQIA.

Source: (Urban Crossroads, 2022a, Table 3-10)

Additionally, the Project would exceed the growth assumptions for the Project Site relied upon in the 2016 AQMP, and no feasible mitigation is available to address this impact. Therefore, Project impacts due to a conflict with the 2016 AQMP would be significant and unavoidable on both a direct and cumulatively-considerable basis.

No feasible mitigation measures exist that would reduce the impacts discussed above to a less than significant level.

Threshold “b:” Significant and Unavoidable Direct and Cumulatively-Considerable Impact. MM 4.2-4 through MM 4.2-9 would require design features to be incorporated into the Project that would reduce the Project’s overall demand for energy resources and would reduce the Project’s operational NO_x emissions (NO_x is released during the combustion of certain types of energy resources). However, mobile source emissions account for approximately 97 percent, by weight, of the Project’s total operational NO_x emissions. Mobile source emissions are regulated by standards imposed by federal and State agencies, not local governments. No



other mitigation measures related to vehicle tailpipe emissions are available that are within the City of Rialto’s jurisdictional authority, that are also feasible for the City to enforce, and, also, have a proportional nexus to the Project’s level of impact. As such, it is concluded that operation of the Project would generate NO_x emissions that would exceed the applicable SCAQMD regional air quality threshold on a daily basis (see Table 4.2-13). The Project’s operational-related NO_x emissions would cumulatively contribute to an existing air quality violation in the SCAB (i.e., ozone concentrations), as well as cumulatively contribute to the net increase of a criteria pollutant for which the SCAB is non-attainment (i.e., federal and State ozone concentrations). Accordingly, the Project’s long-term operational-related emissions of NO_x are concluded to result in a significant and unavoidable impact on both a direct and cumulatively-considerable basis. No feasible mitigation measures exist that would reduce these impacts to a less than significant level.

A recent Supreme Court of California decision, *Sierra Club v. County of Fresno (Friant Ranch)*, states that EIRs should relate a project’s expected significant adverse air quality impacts to likely human health consequences or explain why it is not feasible at the time of preparing the EIR to provide such an analysis. Given that the proposed Project’s implementation would result in a significant direct and cumulatively-considerable impact associated with NO_x emissions under long-term operating conditions, the potential health consequences associated with these air pollutants, as well as other air pollutants associated with the Project, were considered. Although as explained below it may be misleading and unreliable to attempt to specifically quantify the health risks associated with NO_x and other air pollutant emissions that would result from the Project, the Project’s AQIA and HRA provide extensive information concerning the quantifiable and non-quantifiable health risks related to the Project’s construction and long-term operation. Refer to these EIR appendices for additional information.

Population-based studies suggest that long-term exposure to NO_x can cause an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants). Short-term exposure can result in resistance to air flow and airway contraction in healthy subjects. Exposure also can decrease lung functions in individuals with asthma or chronic obstructive pulmonary diseases (e.g., chronic bronchitis, emphysema), as these individuals are more susceptible to the effects of NO_x than healthy individuals. These and other health effects associated with air pollutants that would be generated by the Project were previously described in this Subsection (refer to Subsection 4.2.1C, *Air Quality Pollutants and Associated Human Health Effects*). As noted in the Brief of Amicus Curiae by the SCAQMD in the Friant Ranch case (hereafter, “Brief”), the SCAQMD – which has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State – indicated that quantifying specific health risks that may result from NO_x and other air pollutants from proposals like the Project would be unreliable and misleading due to the relatively small-scale of the Project (from a regional perspective), unknown variables related to pollutant generation/release and receptor exposure, and regional model limitations (Urban Crossroads, 2022a, pp. 64-65). Accordingly, current scientific, technological, and modeling limitations prevent accurate and quantifiable relation of the Project’s NO_x emissions (and other air pollutant emissions) to likely health consequences for local and regional receptors.



4.3 CULTURAL RESOURCES

The analysis in this Subsection is primarily based on a Cultural Resources Records Search, dated January 6, 2021, collected by Brian F. Smith and Associates, Inc. (hereinafter, “BFSA”) and included as *Technical Appendix C* to this EIR. All references used in this Subsection are listed in EIR Section 7.0, *References*.

Confidential information has been redacted from *Technical Appendix C* for purposes of public review. In addition, much of the written and oral communication between Native American tribes and the City of Rialto is considered confidential in respect to places that may have traditional tribal cultural significance (Government Code Section 65352.4), and although relied upon in part to inform the preparation of this EIR Subsection, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (California Code Regulations Section 15120(d)).

4.3.1 EXISTING CONDITIONS

A Project Site Conditions

The entire Project Site is developed/disturbed and used for the outdoor storage of trailers, construction equipment, and construction materials. The Project Site also contains several structures and outbuildings used for storage and offices for the businesses operating on-site.

BFSA conducted an archaeological records search through the South Central Coastal Information Center (SCCIC) at California State University (CSU), Fullerton (BFSA, 2021, p. 1). The records search provided information regarding previous archaeological studies in the Project area and any previously recorded prehistoric sites within a one-mile radius of the Project Site (ibid). The results of this records search indicate three prehistoric sites – one lithic scatter and two isolates – were recorded within a one-mile radius of the site, and no prehistoric artifacts have been previously recorded on the Project Site (ibid). In addition, BFSA reviewed historical records databases to identify the presence or absence of historic-period cultural resources on the Project Site. Based on archival research, 14 historic-period cultural resources have been recorded within a one-mile radius of the Project Site, none of which are located within the Project Site (BFSA, 2021, p. 1). The resources that have been recorded in the proximity of the Project Site consist of two trash scatters, one trash scatter with an associated water conveyance system, the Southern Pacific/Union Pacific Rail alignment, one powerline alignment, three single-family properties, one multi-family property, two properties containing large storage tanks, one industrial property, the Bloomington Middle School, and the former location of the San Bernardino County Museum (BFSA, 2021, pp. 1-2).

B Regional Setting

1. Prehistoric Resources

Archaeological evidence suggests that numerous Serrano villages may have been located within the vicinity of Rialto (Rialto, 2010b, p. 107). The Serrano were Shoshonean peoples, speakers of languages in the Takic sub-family of the larger Uto-Aztecan language group, and their ancestors are presumed to have entered southern California some 1,500 years ago from the Great Basin (ibid.) The Serrano Indians occupied the territory of the San Bernardino Mountains east to Mount San Gorgonio, the San Gabriel Mountains west to



Mount San Antonio, and portions of the desert to the north and the fringe of the San Bernardino Valley to the south (ibid). The Rialto bench, which stretches from Etiwanda Avenue north to Walnut Avenue, appears to have been extensively utilized by the Serrano (ibid). In particular, the west bank of Lytle Creek, where thousands of Native American artifacts have been found throughout the years, appears to have been a major Serrano occupation area sometime prior to the entry of the Spanish into the area in 1776 (ibid). At the time of the Spaniards' arrival, six Serrano villages were known to be located within the vicinity of Rialto (ibid).

2. *Historic Resources*

European settlement of southern California began with a Spanish colonizing expedition in 1769 (Rialto, 2010b, p. 107). Soon after, the San Gabriel (presently Los Angeles County), San Juan Capistrano (presently Orange County), and San Luis Rey (presently San Diego County) missions began to colonize southern California, and gradually expanded their influence to the interior valleys to raise grain and cattle to support the missions (Rialto, 2010b, pp. 107-108). The indigenous groups who inhabited these lands were recruited and converted by missionaries and worked in the missions (Rialto, 2010b, p. 108). During this time, Native American populations were devastated by the introduction of diseases, drastic shifts in diet that resulted in poor nutrition, and social conflicts brought on by an entirely new social order (ibid).

The Mormons purchased and settled the Lugo Ranch (presently San Bernardino) in 1851 and claimed portions of the bench that later became known as Rialto – this claim was later disallowed by the United States Government (Rialto, 2010b, p. 108). Families began moving to the Rialto area by 1854 and vineyards, citrus groves, ranches and agriculture soon prospered (ibid). The town of Rialto was officially founded in 1887; by 1893, the town contained half a dozen businesses and 35 homes (ibid). Citrus became an important commodity in Rialto's early growth and at one time seven packing plants were in use sorting, packing and shipping citrus to all areas of the country (ibid.) In 1913, Foothill Boulevard became Route 66 a section of the transcontinental Highway System and, the following year, the Pacific Electric Company completed its rail line through the City of Rialto (Rialto, 2010b, p. 109). Today the tracks above First Street and the Pacific Electric depot on Riverside Avenue are a part of the Southern Pacific Railroad System (ibid.). The City of Rialto continued to grow and prosper through the 20th century; growing from a population of 3,156 in 1950 to more than 80,000 by the 1990s (ibid).

4.3.2 REGULATORY SETTING

The following is a brief description of the federal, State, and local environmental laws and related regulations governing the protection of prehistoric- and historic-period cultural resources.

A Federal Plans, Policies, and Regulations

1. *National Register of Historic Places*

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation (NPS, n.d.)¹. Authorized by the National Historic Preservation Act of 1966, the NPS's National Register of Historic Places (NRHP) is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources.

¹ National Park Service. *National Register Database and Research*. <https://www.nps.gov/subjects/nationalregister/database-research.htm>. .



To be considered eligible, a property must meet the National Register Criteria for Evaluation. This involves examining the property’s age, integrity, and significance, as follows:

- Age and Integrity. Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?
- Significance. Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history, or engineering achievements? Does it have the potential to yield information through archeological investigation about our past? (NPS, n.d.)

Nominations can be submitted to a SHPO from property owners, historical societies, preservation organizations, governmental agencies, and other individuals or groups. The SHPO notifies affected property owners and local governments and solicits public comment. If the owner (or a majority of owners for a district nomination) objects, the property cannot be listed but may be forwarded to the National Park Service (NPS) for a Determination of Eligibility (DOE). Listing in the National Register of Historic Places provides formal recognition of a property’s historical, architectural, or archeological significance based on national standards used by every state.

Under Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting. National Register listing does not lead to public acquisition or require public access.

B State Plans, Policies, and Regulations

1. California Administrative Code, Title 14, Section 4308

Section 4308 of Title 14 of the California Administrative Code provides that: “No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value.”

2. California Code of Regulations Title 14, Section 1427

California Code of Regulations Title 14, Section 1427 provides that: “No person shall collect or remove any object or thing of archeological or historical interest or value, nor shall any person injure, disfigure, deface or destroy the physical site, location or context in which the object or thing of archeological or historical interest or value is found.”

3. California Register of Historic Resources

The State Historical Resources Commission has designed this program for use by State and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources (OHP, 2020)². The Register is the authoritative guide to the State's significant historical and archeological resources. The California Register program encourages public recognition and protection of resources of architectural, historical, archeological, and cultural significance; identifies historical resources for State and local planning

² Office of Historic Preservation, 2020. *California Register of Historic Places*. http://ohp.parks.ca.gov/?page_id=21238.



purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA.

In order for a resource to be included on the Register of Historic Resources, the resources must meet one of the following criteria (ibid.):

- Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).
- Associated with the lives of persons important to local, California or national history (Criterion 2).
- Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values (Criterion 3).
- Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation (Criterion 4).

For resources included on the Register of Historic Resources, environmental review may be required under CEQA if the resource is threatened by a project. Additionally, local building inspectors must grant code alternatives provided under the State Historical Building Code. Further, the local assessor may enter into a contract with the property owner for a property tax reduction pursuant to the Mills Act. A property owner also may place his or her own plaque or marker at the site of the resource. (OHP, 2020)

Consent of owner is not required, but a resource cannot be listed over an owner's objections. The State Historical Resources Commission (SHRC) can, however, formally determine a property eligible for the California Register if the resource owner objects.

4. *Traditional Tribal Cultural Places Act (Senate Bill 18, "SB 18")*

Senate Bill 18 (SB 18) requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places ("cultural places") through local land use planning. SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to adoption and amendment of both general plans and specific plans. SB 18 also requires the Governor's Office of Planning and Research (OPR) to include in the General Plan Guidelines advice to local governments for how to conduct these consultations. (OPR, 2005)³

The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level land use decisions are made by a local government. (OPR, 2005)

³ Office of Planning and Research, 2005. *Tribal Consultation Guidelines – Supplement to General Plan Guidelines*. November 14, 2005. Available on-line: http://opr.ca.gov/docs/011414_Updated_Guidelines_922.pdf



5. Assembly Bill 52 (AB 52)

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process. (OPR, 2017c)⁴

The Public Resources Code now establishes that “[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.” (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. (Pub. Resources Code, Section 21080.3.1.) (OPR, 2017c)

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code Section 21084.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources. These rules apply to projects that have a NOP for an environmental impact report or negative declaration or mitigated negative declaration filed on or after July 1, 2015. (OPR, 2017c)

Section 21074 of the Public Resources Code defines “tribal cultural resources.” In brief, in order to be considered a “tribal cultural resource,” a resource must be either:

- (1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or
- (2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource. (OPR, 2017c)

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe. (OPR, 2017c)

6. State Health and Safety Code

California Health and Safety Code (HSC) Section 7050.5(b) requires that excavation and disturbance activities must cease “In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery...” until the coroner can determine regarding the circumstances, manner, and cause of any

⁴ Office of Planning and Research, 2017. *Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA*. June 2017. Available online: <http://nahe.ca.gov/wp-content/uploads/2017/06/Technical-Advisory-AB-52-and-Tribal-Cultural-Resources-in-CEQA.pdf>



death (CA Legislative Info, 1987)⁵. The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. Section 7051 specifies that the removal of human remains from “internment or a place of storage while awaiting internment” with the intent to sell them or to dissect them with “malice or wantonness” is a public offense punishable by imprisonment in a state prison. Lastly, HSC Sections 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that “all California Indian human remains and cultural items are to be treated with dignity and respect.” It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims.

California Health and Safety Code, Section 5097.98 states that whenever the commission receives notification of a discovery of Native American human remains pursuant to HSC subdivision (c) of Section 7050.5, it shall immediately notify those persons that are the most likely descendants. The descendants may inspect the site and make recommendations to the landowner as to the treatment of the human remains. The landowner shall ensure that the immediate vicinity around the remains is not damaged or disturbed by further development activity until coordination has occurred with the descendants regarding their recommendations for treatment, taking into account the possibility of multiple human remains. The descendants shall complete their inspection and make recommendations within 48 hours of being granted access to the site. (CA Legislative Info, n.d.)⁶

7. California Code of Regulations Section 15064.5

The California Code of Regulations, Title 14, Chapter 3, Section 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in CEQA Guidelines Section 15064.5, as follows:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4850 *et seq.*).
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered

⁵ California Legislative Information, 1987. *Chapter 2 General Provisions 7050.5 – 7055.*

https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=7050.5.

⁶ California Legislative Information. *Public Resources Code, Section 5097.98.* Available on-line:

https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC§ionNum=5097.98.



to be an historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4852) including the following:

- Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
 - Is associated with the lives of persons important in our past;
 - Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 - Has yielded, or may be likely to yield, information important in prehistory or history.
- The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1.

4.3.3 METHODOLOGY FOR EVALUATING CULTURAL RESOURCES IMPACTS

The analysis of historic and archaeological resources is based on a cultural resources records search through SCCIC at CSU Fullerton, historic background research, a review of historic aerial photographs, and a visit to the Project Site, the results of which were previously summarized in Subsection 4.3.1.

4.3.4 BASIS FOR DETERMINING SIGNIFICANCE

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to cultural resources that could result from development projects. The Project would result in a significant impact to cultural resources if the Project or any Project-related component would:

- a. *Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5;*
- b. *Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5; or*
- c. *Disturb any human remains, including those interred outside of formal cemeteries.*



4.3.5 IMPACT ANALYSIS

Threshold “a:” Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Implementation of the Project would require the demolition of all structures and site improvements that are located on the Project Site under existing conditions. The Project Site contains several structures and outbuildings, several of which were constructed as early as 1949 but have been heavily altered/modified and/or have been poorly maintained and are in a state of disrepair – no longer exhibiting their original architectural character and integrity – and are now used for storage or offices for business operating on-site (Avocet, 2019, pp. 12-13; Waterstone, 2020a, p. 13). As determined through an evaluation by Brian F. Smith and Associates, none of the structures or outbuildings located on-site are associated with any important historic figures or events or contain any unique or distinctive architectural elements and none are identified as previously recorded historic resources (BFSA, 2021, p. 1). Accordingly, none of the structures meet the threshold for consideration as a potential historical resource. Accordingly, the Project would result in no impact to historical resources as defined by Section 15064.5.

Threshold “b:” Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

BFSA conducted a cultural resources inventory of the Project Site, which included a records search through the SCCIC at CSU Fullerton. According to the archival records search, no prehistoric cultural resources have been previously recorded on the Project Site and only three prehistoric cultural resources (i.e., one lither scatter and two isolates) have been recorded within a one-mile radius of the Project Site (BFSA, 2021, p. 1). According to a soils and geotechnical investigation performed by SCG, the Project Site is covered by approximately three inches of pavement (SCG, 2020, p. 5). Artificial fill soils were encountered beneath the existing pavement and at ground surface extending to depths of 2 ½ and 5 ½ feet below ground surface (bgs) (ibid). The fill soils generally consist of loose to dense fine to medium sands and silty fine sands with varying medium to coarse sand, and fine to coarse gravel (ibid). Due to the low number of known prehistoric archaeological resources in the vicinity of the Project Site, the extensive nature and depth of past ground disturbances on-site, the likelihood of discovering masked or buried prehistoric archaeological resources during Project construction is low. Notwithstanding, excavations on portions of the Project Site will exceed 8 feet below the existing ground surface while previously disturbed soils on-site (i.e., artificial fills) extend only to a depth of approximately 5.5 feet below the ground surface; thus, excavations on-site would occur within previously undisturbed soils that have the potential to contain prehistoric archaeological resources. If any prehistoric cultural resources are unearthed during Project construction that meet the definition of an archaeological resource pursuant to CEQA Guidelines Section 15064.5 and are disturbed/damaged by Project construction activities, impacts to those prehistoric cultural resources would be significant.

Threshold “c:” Would the Project disturb any human remains, including those interred outside of formal cemeteries?

The Project Site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity (Google Earth, 2021; BFSA, 2021, pp. 1-2). Additionally, no historic cemeteries or hospitals were recorded on the Project Site by historic topographic maps or observed on historic aerial photographs of the



Project site (Avocet, 2019, pp. 12-13; Waterstone, 2020a, p. 13). In the remote chance that human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California HSC Section 7050.5 “Disturbance of Human Remains.” According to Section 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner is required to contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant.

4.3.6 CUMULATIVE IMPACT ANALYSIS

The Project Site does not contain any known important historic archaeological resources and there is no reasonable possibility that these resources would be unearthed during the Project’s ground-disturbing construction activities due to the extensive nature and depth of past ground disturbances on-site. Therefore, there is no potential for the Project to contribute to a cumulatively-considerably impact to historic archaeological resources.

Development of the Project would not impact any known prehistoric cultural resources and the likelihood of uncovering previously unknown prehistoric cultural resources during Project construction are low due to the severity of ground disturbance that has occurred from historic agriculture and industrial uses on the Project Site. Nonetheless, the potential exists for the inadvertent discovery of subsurface prehistoric cultural resources that meet the CEQA Guidelines Section 15064.5 definition of a significant archaeological resource during Project construction and during construction of other local development projects. Accordingly, the Project has the potential to contribute to a significant cumulative impact to prehistoric cultural resource sites and/or resources.

Mandatory compliance with the provisions of California Health and Safety Code Section 7050.5 as well as Public Resources Code Section 5097 *et seq.*, would assure that all future development projects within the region treat human remains that may be uncovered during development activities in accordance with prescribed, respectful and appropriate practices, thereby avoiding significant cumulative impacts.



4.3.7 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold “a:” No Impact. No historic resources, as defined by CEQA Guidelines Section 15064.5, are present on the Project Site; therefore, no historic resources could be altered or destroyed by construction or operation of the Project.

Threshold “b:” Significant Direct and Cumulatively Considerable Impact. No known prehistoric archaeological resources are present on the Project Site and the likelihood of uncovering buried prehistoric cultural resources on the Project Site is low due to the magnitude of historic ground disturbance on the Project Site. Nonetheless, the potential exists for Project construction activities to result in a direct and cumulatively-considerable impact to significant subsurface prehistoric archaeological resources should such resources be discovered during Project-related construction activities within previously undisturbed soils on-site.

Threshold “c:” Less-Than-Significant Impact. In the unlikely event that human remains are discovered during Project grading or other ground disturbing activities, the Project Applicant would be required to comply with the applicable provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 *et seq.* Mandatory compliance with State law would ensure that human remains, if encountered, are appropriately treated and would preclude the potential for significant impacts to human remains.

4.3.8 MITIGATION

The following mitigation measures address the potential for Project construction activities to impact significant archaeological resources that may be discovered during ground-disturbing construction activities.

- MM 4.3-1 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Rialto that an archaeologist that meets the latest version of the Secretary of the Interior Professional Qualifications Standards (hereafter “Project Archaeologist”) has been retained to conduct the training and monitoring activities described in Mitigation Measure 4.3-2 and Mitigation Measure 4.3-3.

- MM 4.3-2 Prior to the issuance of a grading permit, the Project Applicant or construction contractor shall provide evidence to the City of Rialto that the construction site supervisors and crew members involved with grading and trenching operations have received training by the Project Archaeologist to recognize archaeological resources (historic and prehistoric) should such resources be unearthed during ground-disturbing construction activities. The training will include a brief review of the cultural sensitivity of the area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of archaeological resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new supervisory construction personnel involved with grading and trenching operations that begin work on the Project Site after the initial training session must take the training prior to beginning work on-site.

- MM 4.3-3 The Project Archaeologist shall conduct monitoring during all grading, trenching, and excavation activities that occur within previously undisturbed on the Project Site (i.e., soils



below the approximately 5.5-foot-thick layer of artificial fill at and immediately below the existing ground surface). The Project Archaeologist shall be equipped to salvage artifacts if they are unearthed to avoid construction delays. Should the Project Archaeologist determine that there are no archaeological resources within the Project’s disturbance area or should the archaeological sensitivity be reduced to low during construction activities, archaeological monitoring activities can be reduced to spot-checking or may be allowed to cease.

MM 4.3-4 If a suspected significant archaeological resource is found, the construction supervisor shall immediately halt grading operations within a 50-foot radius around the find (“buffer area”), redirect grading operations outside of the buffer area, and seek identification and evaluation of the suspected resource by the Project Archaeologist. This requirement shall be noted on all grading plans and the construction contractor shall be obligated to comply with the note. The Project Archaeologist shall evaluate the suspected resource and make a determination of significance pursuant to CEQA Guidelines Section 15064.5 and California Public Resources Code Section 21083.2. If the resource is significant, Mitigation Measure 4.3-5 shall apply.

MM 4.3-5 If a significant archaeological resource is discovered, ground disturbing activities shall be suspended 50 feet around the resource until a treatment plan is implemented. A treatment plan shall be prepared and implemented, subject to approval by the City of Rialto, to protect the identified resource(s) from damage and destruction. The treatment plan shall contain a research design and data recovery program necessary to document the size and content of the discovery such that the resource(s) can be evaluated for significance under CEQA criteria. The research design shall list the sampling procedures appropriate to exhaust the research potential of the archaeological resource(s) in accordance with current professional archaeology standards. In the event the discovered resource(s) is or suspected to be of Native American origin, the treatment plan shall require monitoring by the appropriate Native American Tribe(s) during data recovery and shall require that all recovered artifacts undergo basic field analysis and documentation or laboratory analysis, whichever is appropriate. At the completion of the basic field analysis and documentation or laboratory analysis, any recovered resource(s) shall be processed and curated according to current professional repository standards. The collections and associated records shall be donated to an appropriate curation facility, or, the artifacts may be delivered to the appropriate Native American Tribe(s) if that is recommended by the City of Rialto. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City of Rialto, the South Central Coastal Information Center at California State University, Fullerton, and the appropriate Native American Tribe(s).

4.3.9 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold “b:” Less-than-Significant Impact with Mitigation. Implementation of MMs 4.3-1 through 4.3-5 would ensure the proper identification and subsequent treatment of any significant archaeological resources that may be encountered during ground-disturbing activities associated with Project construction. With implementation of the required mitigation, the Project’s potential impacts to important archaeological resources would be reduced to less-than-significant. Cumulatively-considerable impacts would likewise be reduced to less than significant



4.4 ENERGY

The analysis in this Subsection is based primarily on information contained in a technical report prepared by Urban Crossroads, Inc. (hereinafter, “Urban Crossroads”) titled “Birtcher Logistics Center Rialto Energy Analysis” (Urban Crossroads, 2022b)¹. The technical report is included as *Technical Appendix D* to this EIR. All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.4.1 EXISTING CONDITIONS

A Electricity Consumption

The Project Site is located within the service area of the Southern California Edison (SCE). SCE provides electricity to more than 15 million persons in 15 counties and in 180 incorporated cities, within a service area encompassing approximately 50,000 square miles. Based on SCE’s 2019 Power Content Label Mix, SCE derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases electricity from independent power producers and utilities, including out-of-state suppliers (Urban Crossroads, 2022b, p. 10).

Under existing conditions, the Project Site is developed/disturbed and used for the outdoor storage of trailers, construction equipment, and construction materials. The Project Site also contains several structures and outbuildings used for storage and offices for the businesses operating on the site. The estimated electricity consumption demands from the existing development is approximately 56,309 kilo-watt hour (kWh) per year (Urban Crossroads, 2022b, p. 33).

B Natural Gas Consumption

The Project Site is located within the service area of the Southern California Gas Company (SoCalGas), which is regulated by the California Public Utilities Commission (CPUC). SoCalGas provides service to approximately 5.9 million customers. Natural gas from out-of-state production basins is delivered into California via the interstate natural gas pipeline system. The gas transported to California via the interstate pipelines, as well as some of the California-produced gas, is delivered into SoCalGas intrastate natural gas transmission pipelines systems (commonly referred to as California’s “backbone” pipeline system). Natural gas on the utilities’ backbone pipeline system is then delivered to the local transmission and distribution pipeline systems, or to natural gas storage fields. (Urban Crossroads, 2022b, p. 11)

The existing uses on the Project Site are estimated to consume approximately 48,786 kilo British Thermal unit (kBtu) of natural gas per year (Urban Crossroads, 2022b, p. 33).

C Transportation Energy/Fuel Consumption

Gasoline and other vehicle fuels are commercially-provided commodities. Gasoline consumption has been in decline since 2008 but is still the dominant fuel source for transportation (Urban Crossroads, 2022b, p. 14). As of February 2021, California vehicles were estimated to consume 17.5 billion gallons of fuel annually (ibid.). In 2020, Californians used 2,154,030 million cubic feet of natural gas as a transportation fuel (Urban Crossroads, 2022b, p. 15).

¹ Urban Crossroads, 2022. *Birtcher Logistics Center Rialto (MC2020-0031) Energy Analysis*. January 26, 2022.



The existing uses on the Project Site are estimated to consume approximately 161,128 gallons of fuel per year (Urban Crossroads, 2022b, p. 32)

4.4.2 REGULATORY SETTING

A Federal Policies and Regulations

1. Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy (Urban Crossroads, 2022b, p. 17). ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors (ibid). To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions (ibid).

2. The Transportation Equity Act for the 21st Century (TEA-21)

The Transportation Equity Act for the 21st Century (TEA-21) was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs (Urban Crossroads, 2022b, p. 17). TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of wise transportation decisions (ibid). TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety (ibid).

B State Policies and Regulations

1. Integrated Energy Policy Report

Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the California Energy Commission (CEC) to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing California's electricity, natural gas, and transportation fuel sectors and provides policy recommendations. The 2020 Integrated Energy Policy Report (2020 IEPR) continues to work towards improving electricity, natural gas, and transportation fuel energy use in California. The 2020 IEPR identifies actions the state and others can take to ensure a clean, affordable, and reliable energy system. California's innovative energy policies strengthen energy resiliency, reduce GHG emissions that cause climate change, improve air quality, and contribute to a more equitable future (Urban Crossroads, 2022b, pp. 17-18).

2. State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs (Urban Crossroads, 2022b, p. 18). To further this policy, the plan identifies a number of strategies, including assistance



to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled and accommodate pedestrian and bicycle access (ibid.).

3. California Code Title 24, Part 6, Energy Efficiency Standards

California Code Title 24, Part 6 (also referred to as the California Energy Code), was promulgated by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California’s energy consumption. To these ends, the California Energy Code provides energy efficiency standards for residential and nonresidential buildings. (Urban Crossroads, 2022b, p. 18). The newest 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020. The CEC indicates that the 2019 Title 24 standards will reduce energy consumption by 30 percent for nonresidential buildings above that achieved by the prior code (ibid.).

4. California Solar Rights and Solar Shade Control Act

The Solar Rights Act sets parameters for establishing solar easements, prohibits ordinances and private covenants which restrict solar systems, and requires communities to consider passive solar and natural heating and cooling opportunities in new construction (CA Legislative Info, 1978)². This Act is applicable to all California cities and counties. California’s solar access laws appear in the state’s Civil, Government, Health and Safety, and Public Resources Codes. California Pub Res Code § 25980 sets forth the Solar Shade Control Act, which encourages the use of trees and other natural shading except in cases where the shading may interfere with the use of active and passive solar systems.

5. Pavley Fuel Efficient Standards (AB 1493)

On September 24, 2009, the CARB adopted amendments to the “Pavley” regulations that reduce GHG emissions in new passenger vehicles from 2009 through 2016 (CARB, 2021c)³. These amendments are part of California’s commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016 and cemented California’s enforcement of the Pavley rule starting in 2009, while providing vehicle manufacturers with new compliance flexibility. The amendments were also intended to prepare California to harmonize its rules with the federal rules for passenger vehicles.

The U.S. EPA granted California the authority to implement GHG emission reduction standards for new passenger cars, pickup trucks, and sport utility vehicles on June 30, 2009. The first California request to implement GHG standards for passenger vehicles, known as a waiver request, was made in December 2005, and was denied by the U.S. EPA in March 2008. That decision was based on a finding that California’s request to reduce GHG emissions from passenger vehicles did not meet the Clean Air Act requirement of showing that the waiver was needed to meet “compelling and extraordinary conditions.”

The CARB’s Board originally approved regulations to reduce GHGs from passenger vehicles in September 2004, with the regulations to take effect in 2009. These regulations were authorized by the 2002 legislation Assembly Bill 1493 (Pavley) (ibid.).

²California Legislative Information, 1987. *Chapter 2 General Provisions 7050.5 – 7055.*

https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=7050.5.

³California Air Resources Board, 2021. *California’ Greenhouse Gas Vehicle Emission Standards Under Assembly Bill 1493 of 2002 (Pavley).* <https://ww2.arb.ca.gov/californias-greenhouse-gas-vehicle-emission-standards-under-assembly-bill-1493-2002-pavley>



The regulations had been threatened by automaker lawsuits and were stalled by the U.S. EPA’s delay in reviewing and then initially denying California’s waiver request. The parties involved entered a May 19, 2009 agreement to resolve these issues. With the granting of the waiver on June 30, 2009, it was expected that the Pavley regulations will reduce GHG emissions from California passenger vehicles by about 22 percent in 2012 and about 30 percent in 2016, all while improving fuel efficiency and reducing motorists’ costs (ibid.).

The CARB has adopted a new approach to passenger vehicles – cars and light trucks – by combining the control of smog-causing pollutants and GHG emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emission vehicles in California.

6. *Advanced Clean Cars Program*

In 2012, the CARB adopted a set of regulations to control emissions from passenger vehicle model years 2017 through 2025, collectively called Advanced Clean Cars. Advanced Clean Cars, developed in coordination with the U.S. EPA and National Highway Traffic Safety Administration (NHTSA), combined the control of smog-causing (criteria) pollutants and GHG emissions into a single coordinated package of regulations: the Low-Emission Vehicle III Regulation for criteria (LEV III Criteria) and GHG (LEV III GHG) emissions, and a technology-forcing mandate for zero-emission vehicles (ZEV). The goal of the program is to guide the development of environmentally advanced cars that would continue to deliver the performance, utility, and safety car owners have come to expect. Advanced Clean Cars includes the following elements (CARB, 2021e)⁴:

- LEV III Criteria: Reducing Smog-Forming Pollution. CARB adopted new emission standards to reduce smog-forming emissions (also known as “criteria pollutants”) beginning with 2015 model year vehicles. The goal of this regulation is to have cars emit 75 percent less smog-forming pollution than the average car sold in 2012 by 2025.
- LEV III GHG: Reducing GHG Emissions. California’s GHG regulations are projected to reduce GHG emissions from new vehicles by approximately 40 percent (from 2012 model vehicles) in 2025.
- ZEV Regulation: Promoting the Cleanest Cars. The ZEV regulation is designed to achieve the State’s long-term emission reduction goals by requiring auto manufacturers to offer for sale specific numbers of the very cleanest cars available. These vehicle technologies include full battery-electric, hydrogen fuel cell, and plug-in hybrid-electric vehicles. Updated estimates using publicly available information show about 8 percent of California new vehicle sales in 2025 will be ZEVs and plug-in hybrids.

7. *Advanced Clean Trucks Program*

In June, 2020, CARB adopted a new rule requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024 (CARB, 2021b). By 2045, every new truck sold in California will be required to be zero-emission (ibid.). Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035 (ibid.). By 2035, zero-emission truck/chassis

⁴ California Air Resources Board, 2021. *Advanced Clean Cars Program*. <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program>



sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales (ibid.). CARB reports that as of 2020, most commercially-available models of zero-emission vans, trucks and buses operate less than 100 miles per day (ibid.). Commercial availability of electric-powered long-haul trucks is very limited (ibid.). However, as technology advances over the next 20 years, zero-emission trucks will become suitable for more applications, and several truck manufacturers have announced plans to introduce market ready zero-emission trucks in the future (ibid.). When commercial availability of electric-powered long-haul trucks is more readily available, implementation of the Advanced Clean Trucks Regulation is anticipated to significantly reduce GHG emissions and energy usage statewide.

8. California Renewable Portfolio Standard (SB 1078)

SB 1078 requires electricity retailers to increase the amount of energy obtained from eligible renewable energy resources to 20 percent by 2010 and 33 percent by 2020 (CA Legislative Info, 2002)⁵. Additionally, former Governor Edmund G. Brown, Jr. signed into legislation Senate Bill 350 in October 2015, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030 (ibid.). The CEC and the CPUC work collaboratively to implement the renewable portfolio standards (RPS). The CPUC implements and administers RPS compliance rules for California’s retail sellers of electricity, which include investor-owned utilities (IOU), publicly owned utilities (POUs), electric service providers (ESP) and community choice aggregators (CCA). The CEC is responsible for the certification of electrical generation facilities as eligible renewable energy resources, and adopting regulations for the enforcement of RPS procurement requirements of POUs. In 2017, California's three large IOU’s (Pacific Gas and Electric, Southern California Edison, and San Diego Gas and Electric) collectively served 36% of their retail electricity sales with renewable power (ibid.). The IOU's utilize a mix of RPS resources such a wind, solar photovoltaics (PV), solar thermal, hydroelectricity, geothermal, and bioenergy to meet their renewable procurement targets.

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

In October 2015, the legislature approved and the Governor signed SB 350, which reaffirms California’s commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the RPS, higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Specifically, SB 350 requires the following to reduce statewide GHG emissions (CEC, 2021)⁶:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 25 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the CPUC, the CEC, and local publicly owned utilities.
- Reorganize the Independent System Operator to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

⁵ California Legislative Information, 2002. *Senate Bill No. 1078*. https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=200120020SB1078

⁶ California Energy Commission, 2021. *Emission Performance Standard – SB 1368*. <https://www.energy.ca.gov/rules-and-regulations/energy-suppliers-reporting/emission-performance-standards-sb-1368>



C Local Policies and Regulations

1. Rialto Building Code

The City adopted the California Building Standards Code (2019 Edition), including its Building Code, Energy Code, and Green Building Code (CalGreen) components, and codified in Section 15.08.060 of the Rialto Municipal Code (Rialto, 2021)⁷. Accordingly, the City’s Building Code regulates and controls the design, construction, quality of materials, grading, use, occupancy, location, and maintenance of all buildings or structures within the City.

4.4.3 METHODOLOGY FOR CALCULATING PROJECT ENERGY DEMANDS

Information from the CalEEMod 2020.4.0 outputs for *Technical Appendix B* (Air Quality Impact Analysis) was utilized to detail Project-related construction equipment, transportation energy demands, and facility energy demands. These outputs are referenced in Appendices 4.1 through 4.3 of *Technical Appendix D*. Additionally, CARB’s EMFAC2017 model was used to calculate emission rates, fuel consumption, and VMT for light duty vehicles, light-heavy duty trucks, medium-heavy duty trucks, and heavy-heavy duty trucks traveling to and from the Project Site during construction and operational activities (Urban Crossroads, 2022b, p. 21). Data from the EMFAC 2017 model outputs are included in Appendix 4.4 of *Technical Appendix D*.

4.4.4 BASIS FOR DETERMINING SIGNIFICANCE

The proposed Project would result in a significant impact to energy if the Project or any Project-related component would:

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

The above-listed thresholds are taken from CEQA Guidelines Appendix G and address the typical, adverse environmental effects that could result from development projects’ energy consumption.

Regarding the determination of significance under Threshold “a,” if energy consumed by the Project’s construction and/or operation cannot be accommodated with existing available resources and energy delivery systems, and requires and/or consumes more energy than industrial uses in California of similar scale and intensity, the Project would result in wasteful, inefficient, or unnecessary consumption of energy.

⁷ Rialto, City of. *City of Rialto Municipal Code*. https://library.municode.com/ca/rialto/codes/code_of_ordinances



4.4.5 IMPACT ANALYSIS

Threshold “a:” Would the Project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Energy Use During Construction

The Project’s construction process would consume electrical energy and fuel. Project-related construction would represent a “single-event” electric energy and fuel demand and would not require on-going or permanent commitment of energy or diesel fuel resources for this purpose. Project-related construction is estimated to consume approximately 234,172 kWh of electricity, approximately 140,539 gallons of diesel fuel from operation of construction equipment, 55,146 gallons of diesel fuel from construction vendor/hauling trips, and 47,344 gallons of fuel from construction worker trips (Urban Crossroads, 2022b, pp. 23-29). Refer to Subsection 4.3 from *Technical Appendix D* for detailed calculations of all components of the Project’s construction energy use.

The equipment used for Project construction will conform to CARB regulations and State emissions standards. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities elsewhere in the region; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Additionally, Project construction activities would be required to comply with State law (Code of Regulations Title 13, Motor Vehicles, Section 2449(d)(3)) and CARB Air Toxic Control Measures that place restrictions on the length of time that diesel-powered equipment and vehicles can idle before powering down (thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling). Lastly, Project construction contractors would be required to comply with applicable CARB regulations regarding retrofitting, repowering, or replacement of older, less-efficient diesel off-road construction equipment. Accordingly, the equipment and vehicles employed in construction of the Project would not result in inefficient wasteful, or unnecessary consumption of fuel (Urban Crossroads, 2022b, p. 30).

Indirectly, the Project would realize construction energy efficiencies and energy conservation through the bulk purchase, transport and use of construction materials. Use of materials in bulk reduces energy demands associated with preparation and transport of construction materials as well as the transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations (Urban Crossroads, 2022b, pp. 30-31).

As supported by the preceding discussion, the Project’s construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Energy Use During Project Operations

Project operations would include transportation energy demands (energy consumed by passenger car and truck vehicles accessing the Project Site) and facility energy demands (energy consumed by building operations and site maintenance activities).



The energy consumption of existing uses on the Project Site – refer to Subsection 4.4.1 – were subtracted from the Project’s gross energy totals to determine the new, net energy demands from the proposed Project. The net Project energy demand is calculated to be 1,325,501 gallons of vehicle fuel, 5,837,480 kBTU of natural gas, and 4,819,698 kWh of electricity per year (Urban Crossroads, 2022b, pp. 33-34). Refer to Subsection 4.4 from *Technical Appendix D* for detailed calculations of all components of the Project’s operational energy use.

The Project’s proposed building incorporates contemporary, energy-efficient/energy-conserving design and operational programs (including the enhanced building/utility energy efficiencies mandated by the Energy Code and CalGreen). The Project will be subject to compliance with 2019 Energy Code and CalGreen standards, which became effective on January 1, 2020, and mandate energy conservation features that are more stringent (energy-conserving) than prior versions of the respective codes. On this basis, the Project will inherently use less energy than comparable buildings constructed under prior versions of the Energy and CalGreen Codes. Project building operations would not result in the inefficient, wasteful, or unnecessary consumption of energy due to mandatory Energy Code and CalGreen compliance. Furthermore, the Project Site is within the existing service areas of SCE and SoCalGas, is capable of being served by both energy providers, and implementation of the Project would not cause or result in the need for additional energy facilities or energy delivery systems. From a transportation energy perspective, the Project Site’s location proximate to regional and local roadway systems would tend to minimize VMT within the region, acting to reduce regional vehicle energy demands. Furthermore, the Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption (Urban Crossroads, 2022b, pp. 35-36).

As supported by the preceding discussion, the Project’s operational energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Threshold “b:” Would the Project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

Consistency with Federal Energy Regulations

Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

Transportation and access to the Project Site is provided primarily by the local and regional roadway systems, which includes the Valley Boulevard and Willow Avenue. Implementation of the Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be realized pursuant to the ISTEA because SCAG is not planning for intermodal facilities on or through the Project Site (Urban Crossroads, 2022b, p. 38).

The Transportation Equity Act for the 21st Century (TEA-21)

The Project Site is located along major transportation corridors with proximate access to the State’s freeway system (i.e., I-10). The location of the Project Site facilitates access and is designed to minimize VMT, takes advantage of existing infrastructure systems, and promotes land use compatibilities through collocation of similar industrial uses. Accordingly, the Project supports the strong planning processes emphasized under TEA-21 and is therefore consistent with, and would not otherwise interfere with or obstruct implementation of TEA-21 (Urban Crossroads, 2022b, p. 38).



□ Consistency with State Energy Regulations

Integrated Energy Policy Report

The IEPR provides policy recommendations to be implemented by energy providers in California. Electricity would be provided to the Project by SCE. SCE’s Clean Power and Electrification Pathway (CPEP) builds on existing State programs and policies that support the IEPR goals of improving electricity, natural gas, and transportation fuel energy use in California. SCE is consistent with, and would not otherwise interfere with, nor obstruct implementation of the goals presented in the 2020 IEPR. Thus, because the SCE is consistent with the 2020 IEPR, the Project is consistent with, and would not otherwise interfere with, nor obstruct implementation of the goals presented in the 2020 IEPR (Urban Crossroads, 2022b, p. 38).

State of California Energy Plan

The Project Site is located along Valley Boulevard and Willow Avenue with proximate access to I-10. The location of the Project Site facilitates access, is designed to minimize VMT, and takes advantage of existing infrastructure systems. Therefore, the Project supports urban design and planning processes identified under the State of California Energy Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan (Urban Crossroads, 2022b, p. 39).

California Code Title 24, Part 6, Energy Efficiency Standards

The Project will design the building shell and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating, and air conditioning systems to meet 2019 Energy Efficiency Standards, which would be confirmed by the City during the building permit review process. The Project also is required by State law to be designed, constructed, and operated to meet or exceed 2019 Energy Efficiency Standards. On this basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of the State’s 24 Energy Efficiency Standards (Urban Crossroads, 2022b, p. 39).

Pavley Fuel Efficiency Standards (AB 1493)

AB 1493 is applicable to the Project because model year 2009-2016 passenger cars and light duty truck vehicles traveling to and from the Project Site are required by law to comply with the legislation’s fuel efficiency requirements. The Project would not interfere with, nor otherwise obstruct implementation of AB 1493.

Advanced Clean Cars Program

The CARB Advanced Clean Cars Program is applicable to the Project because model year 2007-2025 passenger cars and light duty truck vehicles traveling to and from the Project Site are required by law to comply with the regulation’s emissions requirements. The Project would not interfere with, nor otherwise obstruct implementation of the Advanced Clean Cars Program.

Advanced Clean Trucks Program

The Advanced Clean Trucks Program is applicable to the Project because by 2045, every new heavy-duty truck sold in California will be required to be zero-emission and truck manufacturers are required to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. These types of vehicles will travel to and from the Project Site and in the future will be subject to the regulation’s emissions requirements. The



Project would not interfere with, nor otherwise obstruct implementation of the Advanced Clean Trucks Program.

California Renewable Portfolio Standards (SB 1078)

Energy directly or indirectly supplied to the Project Site by electric corporations is required by law to comply with SB 1078.

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

Energy directly or indirectly supplied to the Project Site by electric corporations is required by law to comply with SB 350 (Urban Crossroads, 2022b, p. 39).

Consistency with Local Energy Regulations

Rialto Building Code

The City will require the Project to be designed, constructed, and operated to meet or exceed all applicable components of the California Building Standards Code (which is adopted as the City’s Building Code pursuant to Section 15.08.060 of the Rialto Municipal Code). The City would confirm the Project’s compliance with the Building Code as part of the building permit review process. On this basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of the California Building Standards Code.

Conclusion

As supported by the preceding analysis, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency and a less-than-significant impact would occur.

4.4.6 CUMULATIVE ANALYSIS

The Project and other development projects would be required to comply with the same applicable federal, State, and local regulatory measures aimed at reducing fossil fuel consumption and the conservation of energy. Accordingly, the Project would not cause or contribute to a significant cumulatively-considerable impact related to conflicts with a State or local plan for renewable energy or energy efficiency.

4.4.7 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold “a:” Less-than-Significant Impact. The amount of energy and fuel consumed by construction and operation of the Project would not be inefficient, wasteful, or unnecessary. Furthermore, the Project would not cause or result in the need for additional energy facilities or energy delivery systems.

Threshold “b:” Less-than-Significant Impact. The Project would not cause or result in the need for additional energy production or transmission facilities. The Project would not conflict with or obstruct the achievement of energy conservation goals within the State of California identified in State and local plans for renewable energy and energy efficiency.

4.4.8 MITIGATION

Impacts would be less than significant; therefore, mitigation is not required.



4.5 GEOLOGY & SOILS

The analysis in this Subsection is based primarily on information contained in a technical report prepared by Southern California Geotechnical (hereinafter, “SCG”) titled, “Geotechnical Investigation Proposed Warehouse NWC West Valley Boulevard and South Willow Avenue Rialto, California for Birtcher Development” (Geotechnical Investigation) and dated August 18, 2021. The technical report is included as *Technical Appendix E* to this EIR. Additional sources of information used to support the analysis in this Subsection include the Final EIR prepared for the City General Plan (Rialto, 2010a) and the Rialto Municipal Code (Rialto, 2021). All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.5.1 EXISTING CONDITIONS

A Soils

According to the Geotechnical Investigation performed by SCG, the Project Site is covered by approximately three inches of pavement (SCG, 2021, p. 5). Artificial fill soils were encountered beneath the existing pavement and at ground surface extending to depths of 2 ½ and 5 ½ feet below ground surface (bgs) (ibid). The fill soils generally consist of loose to dense fine to medium sands and silty fine sands with varying medium to coarse sand, and fine to coarse gravel (ibid). Native alluvial soils were encountered beneath the artificial fill soils and at the ground surface, extending to the maximum depth explored during field surveys of approximately 25 feet bgs (SCG, 2021, p. 6). The near-surface alluvial soils extending to depths of 5 ½ to 12 feet generally consist of medium dense to dense silty sands and sands with varying silt and fine to coarse gravel (ibid). At depths greater than approximately 12 feet extending to approximately 25 feet, the alluvial soils generally consist of dense to very dense well graded sands and gravelly sands (ibid).

B Groundwater

SCG did not observe any free water at any subsurface testing location on the Project Site (SCG, 2021, p. 6). Based on the lack of water at subsurface testing locations and a review of available groundwater records, SCG concluded that the groundwater table beneath the Project Site is located in excess of 25 feet bgs (ibid.). According to data from monitoring wells located approximately one mile from the Project Site, groundwater is estimated to occur at approximately 198 feet bgs of the Project Site (ibid.).

C Seismic Hazards

The Project Site is located in an area of southern California that is subject to strong ground motions due to seismic events (i.e., earthquakes). The geologic structure of southern California is dominated mainly by northwest-trending faults associated with the San Andreas system. The nearest active fault to the Project Site is the Rialto-Colton Fault, located approximately 1.3 miles to the northeast of the Project Site (Google Earth, 2021; Rialto, 2010a, Exhibit 5.1). An active fault is defined by the California Geological Survey as a fault that has experienced surface displacement within the Holocene Epoch (roughly the last 11,000 years).

Secondary hazards associated with earthquakes include surface rupture, ground failure, unstable soils, and slopes. Each of these hazards are briefly described below.



1. *Fault Rupture*

Fault rupture can occur along pre-existing, known active fault traces; however, fault rupture also can splay from known active faults or rupture along unidentified fault traces. There are no active or potentially active faults occurring on the Project Site and no known faults are mapped trending through or toward the site (SCG, 2021, p. 9).

2. *Liquefaction*

Liquefaction is a phenomenon in which loose, saturated, relatively cohesion-less soil deposits lose shear strength during strong ground motions, which causes the soil to behave as a viscous liquid. Liquefaction is generally limited to the upper 50 feet of subsurface soils. Research and historical data indicate that loose granular soils of Holocene to late Pleistocene age below a near-surface groundwater table are most susceptible to liquefaction, while the stability of most clayey material is not adversely affected by vibratory motion (SCEC, 1999, pp. 5-6)¹. Based on geologic hazard mapping conducted by the County of San Bernardino County, which maps the Project Site as located outside of zones of liquefaction susceptibility, as well as the subsurface conditions encountered at the Project Site, the Geotechnical Investigation determined that the potential for liquefaction at the site is not considered to be a design concern for the Project (SCG, 2021, p. 11).

3. *Unstable Soils and Slopes*

The Project Site is generally flat under existing conditions and does not contain, nor is it adjacent to any, steep natural or manufactured slopes and there is no evidence of historical landslides or rockfalls on the site (Google Earth, 2021; CDC, 2021²). As such, the site in its present condition is not susceptible to seismically-induced landslides and rockfalls.

D Slope and Instability Hazards

1. *Soil Erosion*

Erosion is the process by which the upper layers of the ground surface (such as soils) are worn and removed by the movement of water or wind. Soils with characteristics such as low permeability and/or low cohesive strength are more susceptible to erosion than those soils having higher permeability and cohesive strength. Additionally, the slope gradient on which a given soil is located also contributes to the soil's resistance to erosive forces. Because water is able to flow faster down steeper gradients, the steeper the slope on which a given soil is located, the more readily it will erode. According to the City General Plan EIR and the Geotechnical Investigation, soils on the Project Site and in the surrounding area are susceptible to erosion (Rialto, 2010b, p. 137; SCG, 2021, p. 16).

Wind erosion can damage land and natural vegetation by removing soil from one place and depositing it in another. It mostly affects dry, sandy soils in flat, bare areas, but wind erosion may occur wherever soil is loose, dry, and finely granulated. According to the United States Department of Agriculture (USDA) Natural

¹ Southern California Earthquake Center, 1999. *Recommended Procedures for Implementation of DMG Special Publication 117 Guidelines for Analyzing and Mitigating Liquefaction Hazards in California*. March 1999.

https://www.tugraz.at/fileadmin/user_upload/Institute/IAG/Files/33_Liquefaction_Mitigation-DMG_SP117.pdf.

² California Department of Conservation, 2021. *California Geological Survey: Landslide Inventory*. <https://maps.conservation.ca.gov/cgs/lsi/>



Resource Conservation Service (NRCS), soils on the Project Site and in the surrounding area are moderately susceptible to wind erosion (USDA, n.d.)³. Under existing conditions, the Project Site has a low potential for windblown erosion due to the pavement and structures that cover most of the surface soils on-site.

2. *Settlement Potential*

Settlement refers to unequal compression of a soil foundation, shrinkage, or undue loads being applied to a building after its initial construction that affect the soil foundation. According to SCG, the alluvial and fill soils present on the Project Site have settlement potential (SCG, 2021, p. 11).

3. *Shrinkage/Subsidence Potential*

Subsidence is a gradual settling or sudden sinking of the ground surface (i.e., loss of elevation). The principal causes of subsidence are aquifer-system compaction, drainage of organic soils, underground mining, and natural compaction. Shrinkage is the reduction in volume in soil as the water content of the soil drops (i.e., loss of volume). Testing conducted by SCG on soils collected from the Project Site indicates that the subsidence and shrinkage potential on the Project Site is minimal (SCG, 2021, p. 13).

4. *Soil Expansion Potential*

Expansive soils are soils that exhibit cyclic shrink and swell patterns in response to variations in moisture content. On-site soils contain no appreciable clay content and SCG visually classified the soils as non-expansive (SCG, 2021, p. 12).

5. *Landslide Potential*

No landslides have occurred in the vicinity of the Project site (CDC, 2021). The Project Site and immediately surrounding properties are located on a generally flat valley floor and contain no steep natural or manufactured slopes (Google Earth, 2021). Based on the foregoing information, there is no potential for landslides to occur on or immediately adjacent to the site.

E Paleontological Setting

1. *Regional Setting*

According to the City General Plan Final EIR, the City contains surface exposures of several sedimentary rock units including (from oldest to youngest): older fan deposits of middle to late Pleistocene age; old eolian deposits; young eolian deposits; young alluvial fan deposits; young axial channel deposits; and recent wash deposits (Rialto, 2010b, p. 114). Of these sedimentary units, the Pleistocene sediments mapped at the surface have high potential to contain significant nonrenewable paleontological resources (ibid). Pleistocene alluvial sediments elsewhere throughout Riverside and San Bernardino Counties and the Inland Empire have been reported to yield significant fossils of extinct animals from the Ice Age (ibid). Fossils recovered from these Pleistocene sediments represent extinct taxa including mammoths, mastodons, ground sloths, dire wolves, saber-toothed cats, large and small horses, large and small camels, and bison, as well as plant macro- and microfossils (ibid).

³ United States Department of Agriculture. *Websoil Survey*. <https://websoilsurvey.sc.gov.usda.gov/App/WebSoilSurvey.aspx>.



2. Project Site Conditions

According to the City General Plan EIR Exhibit 4.6.2, *Soils Map*, the eastern portion of the Project Site is underlain with young alluvial fan deposits, which is determined to have a low paleontological sensitivity and the western portion of the Project Site is underlain with old alluvial fan deposits, which contains a high paleontological sensitivity.

4.5.2 REGULATORY SETTING

The following is a brief description of the federal, State, and local environmental laws and related regulations governing issues related to geology and soils and paleontological resources.

A Federal Plans, Policies, and Regulations

1. Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters (EPA, 2020d)⁴. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the EPA has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

B State Plans, Policies, and Regulations

1. Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The A-P Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults (CDC, 2019a)⁵. The A-P Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards.

The A-P Act requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults and to issue appropriate maps (CDC, 2019a). ["Earthquake Fault Zones" were called "Special Studies Zones" prior to January 1, 1994.] The maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. Projects include all land divisions and most structures for human occupancy.

⁴ Environmental Protection Agency, 2020. *Summary of the Clean Water Act*. <https://www.epa.gov/laws-regulations/summary-clean-water-act>.

⁵ California Department of Conservation, 2019. *Alquist-Priolo Earthquake Fault Zones*. <https://www.conservation.ca.gov/cgs/alquist-priolo>.



Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings would not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (generally 50 feet).

There are no active faults on the Project Site and the Project Site is not located within any Alquist-Priolo Earthquake Fault Zone (SCG, 2021, p. 9).

2. Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, Section 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards (CDC, 2019b)⁶.

Staff geologists in the Seismic Hazard Zonation Program gather existing geological, geophysical, and geotechnical data from numerous sources to produce the Seismic Hazard Zone Maps. They integrate and interpret these data regionally in order to evaluate the severity of the seismic hazards and designate as Zones of Required Investigation (ZORI) those areas prone to liquefaction and earthquake-induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes. The SHMA requires site-specific geotechnical investigations be conducted within the ZORIs to identify and evaluate seismic hazards and formulate mitigation measures prior to permitting most developments designed for human occupancy. The Project Site is not located within a ZORI.

3. Natural Hazards Disclosure Act

The Natural Hazards Disclosure Act, effective June 1, 1998 (as amended June 9, 1998), requires that sellers of real property and their agents provide prospective buyers with a "Natural Hazard Disclosure Statement" when the property being sold lies within one or more state-mapped hazard areas, including a Seismic Hazard Zone (CA Legislative Info, 2020)⁷.

The law requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps) (CA Legislative Info, 2020). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Single-family frame dwellings up to two stories not part of a development of four or more units are exempt from the state requirements. However, local agencies can be more restrictive than state law requires.

Before a development permit can be issued or a subdivision approved, cities and counties must require a site-specific investigation to determine whether a significant hazard exists at the site and, if so, recommend measures to reduce the risk to an acceptable level (CA Legislative Info, 2020). The investigation must be performed by state-licensed engineering geologists and/or civil engineers.

⁶ California Department of Conservation, 2019. *Seismic Hazards Mapping Act*. <https://www.conservation.ca.gov/cgs/shma>.

⁷ California Legislative Information, 2020. *Natural Hazards Disclosure Act*.

https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1103.2.&lawCode=CIV.



4. Building Earthquake Safety Act

In 1986, the California Legislature determined that buildings providing essential services should be capable of providing those services to the public after a disaster. Their intent in this regard was defined in legislation known as the Essential Services Buildings Seismic Safety Act of 1986 and includes requirements that such buildings shall be "...designed and constructed to minimize fire hazards and to resist...the forces generated by earthquakes, gravity, and winds." This enabling legislation can be found in the California Health and Safety Code, Chapter 2, Sections 16000 through 16022 (CAB, 2021)⁸. In addition, the California Building Code defines how the intent of the act is to be implemented in Title 24, Part 1 of the California Building Standards Administrative Code, Chapter 4, Articles 1 through 3 (ibid.).

5. California Building Standards Code (Title 24)

California Code of Regulations (CCR) Title 24 is reserved for state regulations that govern the design and construction of buildings, associated facilities, and equipment (CBSC, 2020, p. 6)⁹. These regulations are also known as building standards (reference California Health and Safety Code Section 18909). Health and Safety Code (state law) Section 18902 gives CCR Title 24 the name California Building Standards Code (CBSC).

The CBSC in CCR Title 24 is published by the California Building Standards Commission and it applies to all building occupancies (see Health and Safety Code Sections 18908 and 18938) throughout the State of California. Cities and counties are required by state law to enforce CCR Title 24 (reference Health and Safety Code Sections 17958, 17960, 18938(b), and 18948). Cities and counties may adopt ordinances making more restrictive requirements than provided by CCR Title 24, because of local climatic, geological, or topographical conditions. Such adoptions and a finding of need statement must be filed with the California Building Standards Commission (Reference Health and Safety Code Sections 17958.7 and 18941.5).

6. Porter-Cologne Water Control Act

The Porter-Cologne Act is the principal law governing water quality regulation in California (SWRCB, 2014a)¹⁰. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code Section 13000 *et seq.*), the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

⁸ California Architects Board, 2021. *Essential Services Buildings Seismic Safety Act*. https://www.cab.ca.gov/general_information/esbssa.shtml.

⁹ California Building Standards Code, 2020. 2019 California Green Building Standards Code Title 24 Part 11. January 1, 2020. <https://codes.iccsafe.org/content/CAGBSC2019/cover>.

¹⁰ State Water Resources Control Board, 2014. *Federal, State and Local Laws, Policy and Regulations*. https://www.waterboards.ca.gov/water_issues/programs/nps/encyclopedia/0a_laws_policy.html.



The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The State Water Board and Regional Water Boards have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The Storm Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCBs) can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. (SWRCB, 2014a) The Project Site is located in the Santa Ana River Watershed, which is within the purview of the Santa Ana RWQCB. The Santa Ana's RWQCB's Santa Ana River Basin Water Quality Control Plan is the governing water quality plan for the region.

7. California Public Resources Code

Public Resources Code Section 5097.5 states that “A person shall not knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.” (CA Legislative Info, 1965)¹¹

Public Resources Code Section 30244 states that, “Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.” (CA Legislative Info, 1976)¹²

¹¹ California Legislative Information, 1965. *Archaeological, Paleontological, and Historical Sites*. Available on-line at: https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC§ionNum=5097.5

¹² California Legislative Information, 1976. *Land Resources*. Available on-line at: https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC§ionNum=30244.



C Local Plans, Policies, and Regulations

1. Rialto Building Code

The Rialto Building Code is based on the CBSC and is supplemented with local amendments. The Building Code regulates the construction, alteration, repair, moving, demolition, conversion, occupancy, use, and maintenance of all buildings and structures in the City. The Building Code is included in Chapter 15.08 of the Rialto Municipal Code.

2. Rialto Municipal Code

The Rialto Municipal Code Sections 11.12.070 and 17.24.010 require development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and provide site-specific recommendations to preclude adverse impacts from unstable soils and strong seismic ground-shaking. These reports shall recommend corrective action to preclude any structural damage/hazards that may be caused by geological hazards or unstable soils which the City will require to be incorporated into the project via conditions of approval. The Rialto Municipal Code also requires the implementation of an erosion control plan during grading activities (refer to Section 17.40.010). Lastly, Rialto Municipal Code Chapter 12.60 requires the City to participate in the improvement of water quality and comply with federal requirements for the control of urban pollutants, including sediment, in stormwater runoff. (Rialto, 2021)

3. SCAQMD Rule 403 (Fugitive Dust)

SCAQMD Rule 403 (Fugitive Dust) requires the implementation of BACMs during active operations capable of generating fugitive dust (SCAQMD, 2005). The purpose of this rule is to minimize the amount of particulate matter in the ambient air as a result of anthropogenic fugitive dust sources.

4.5.3 METHODOLOGY FOR EVALUATING GEOLOGY & SOILS IMPACTS

The analysis of potential geology and soils-related impacts is based upon the geotechnical investigation prepared specifically for the Project Site. The geotechnical investigation included a site reconnaissance, review of published reports, maps, and aerial photographs, geotechnical field exploration, laboratory testing, engineering analysis, and soil borings. The City’s General Plan and information sources from State and Federal agencies were researched to establish the Project Site’s existing conditions and likelihood of environmental effects.

4.5.4 BASIS FOR DETERMINING SIGNIFICANCE

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to geology and soils that could result from development projects. The Project would result in a significant impact related to geology and soils if the Project or any Project-related component would:

- a. *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:*



- i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42;*
 - ii. *Strong seismic ground shaking;*
 - iii. *Seismic-related ground failure, including liquefaction; or*
 - iv. *Landslides.*
- b. *Result in substantial soil erosion or the loss of topsoil;*
 - c. *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;*
 - d. *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;*
 - e. *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water; or*
 - f. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.*

4.5.5 IMPACT ANALYSIS

Threshold “a:” *Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:*

- i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*
- ii. *Strong seismic ground shaking?*
- iii. *Seismic-related ground failure, including liquefaction?*
- iv. *Landslides?*

A Rupture of Known Earthquake Fault

There are no known active or potentially active faults on or trending toward the Project Site and the Project Site is not located within a mapped Alquist-Priolo Earthquake Fault Zone (SCG, 2021, p. 9). Because there are no known faults located on or trending towards the Project Site, the Project would not directly or indirectly expose people or structures to substantial adverse effects related to rupture of a known earthquake fault.

B Strong Seismic Ground Shaking

The Project Site is located in a seismically active area of southern California and is expected to experience moderate to severe ground shaking during the lifetime of the Project. This risk is not considered substantially different to other similar properties in the southern California area. As a mandatory condition of Project approval, the Project Applicant would be required to construct the proposed building in accordance with the CBSC and the Rialto Building Code, which is based on the CBSC with local amendments (Rialto Municipal



Code, Sections 15.08.060 and 15.08.080). The CBSC and Rialto Building Code provide standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures, and have been specifically tailored for California earthquake conditions. In addition, the CBSC (Chapter 18) and the Rialto Municipal Code (Sections 11.12.070 and 17.24.010) require development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and implement the site-specific recommendations contained therein, including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems in order to preclude adverse effects involving unstable soils and strong seismic ground-shaking. The Project Applicant retained a professional geotechnical firm, SCG, to prepare a Geotechnical Investigation for the Project Site, which is included as *Technical Appendix E* to this EIR. The Geotechnical Investigation included recommendations for design, construction, and grading considerations based on the site-specific geological conditions and Project-specific design. The recommendations included seismic design considerations, geotechnical design considerations, site grading recommendations, construction considerations, foundation design and construction, floor slab design and construction, retaining wall design and construction, and pavement design parameters. This Geotechnical Investigation complies with the requirements of Chapter 18 of the CBSC and Sections 11.12.070 and 17.24.010 of the Rialto Municipal Code and, in conformance with the Municipal Code, the City will condition the Project Applicant to comply with the site-specific ground preparation and construction recommendations contained in the Geotechnical Investigation. With mandatory compliance with building code standards and site-specific design and construction measures, implementation of the Project would not directly or indirectly expose people or structures to substantial adverse effects, including loss, injury, or death, involving seismic ground shaking. Impacts would be less than significant.

C **Seismic-Related Ground Failure**

Due to the observed soil characteristics on the Project Site and the lack of shallow groundwater beneath the site, liquefaction potential is considered to be low on-site (SCG, 2021, p. 11). Regardless, as noted above, the City will require the Project Site be developed in accordance with the latest applicable seismic safety guidelines, including the standard requirements of the CBSC and the Rialto Building Code, to minimize potential liquefaction hazards. In addition, the Project Applicant would be required via conditions of approval to comply with the grading and construction recommendations contained within the Geotechnical Investigation for the Project Site to further reduce the risk of seismic-related ground failure due to liquefaction. Therefore, implementation of the Project would not directly or indirectly expose people or structures to substantial hazards associated with seismic-related ground failure and/or liquefaction hazards. Impacts would be less than significant.

D **Landslides**

The Project Site is relatively flat, as is the immediately surrounding area. There are no recorded landslides or hillsides or steep slopes on the Project Site or in the immediate vicinity of the site under existing conditions (Google Earth, 2021; CDC, 2019b). The Project includes retaining walls and manufactured slopes, which would be constructed in accordance with the site-specific recommendations contained within the Geotechnical Investigation for the Project Site to ensure their structural soundness. The City would condition the Project to comply with the site-specific design and engineering recommendations contained within Geotechnical Investigation to ensure these measures are implemented. Mandatory compliance with the recommendations



contained within the Geotechnical Investigation would ensure that the Project is built to preclude safety hazards to on-site and abutting off-site areas. Accordingly, the Project would not be exposed to substantial landslide risks, and implementation of the Project would not pose a substantial direct or indirect landslide risk to surrounding properties. Impacts would be less than significant.

Threshold “b:” Would the Project result in substantial soil erosion or the loss of topsoil?

A Construction-Related Erosion Impacts

Under existing conditions, the Project Site is mostly covered in pavement and has low potential for soil erosion (both waterborne and windblown erosion). Construction of the Project would result in the demolition of all structures and pavement on-site, and grading and construction activities would occur that would disturb soils on the Project Site. Exposed soils would be subject to potential erosion during rainfall events or high winds due to the removal of stabilizing vegetation and building materials (e.g., existing concrete foundations) and exposure of these erodible materials to wind and water.

Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State’s General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the Project Applicant would be required to comply with the Santa Ana RWQCB’s *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that the Project Applicant will be required to implement during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Lastly, the Project Applicant would be required to implement erosion control measures to minimize water- and windborne erosion pursuant to Rialto Municipal Code Section 17.40.010 (and to ensure compliance with SCAQMD Rule 403). Mandatory compliance with the SWPPP and the erosion control measures would ensure that the Project’s implementation does not violate any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.

B Post-Development Erosion Impacts

Upon Project build-out, the Project Site would be covered by a building, landscaping, and impervious surfaces. Stormwater runoff from the Project Site would be captured, treated to reduce waterborne pollutants (including sediment), and conveyed off-site by the Project’s storm drain system. Accordingly, the amount of erosion that occurs on the Project Site would be minimized upon build out of the Project and would be reduced relative to existing conditions.



To meet the requirements of the City’s Municipal Storm Water Permit, and in accordance with Rialto Municipal Code Section 12.60.260, the Project Applicant would be required to prepare and implement a Stormwater Quality Management Plan (SWQMP), which is a site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants. The SWQMP is required to identify an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. The preliminary SWQMP for the Project, which is provided as *Technical Appendix I2* to this EIR, identifies non-structural source control BMPs (such as vacuum sweeping of parking lots), structural source control BMPs (such as utilizing efficient irrigation systems that minimize overspray), and preventive, low impact development BMPs (such as the use of permeable surfaces across the site, catch basin inserts, and an underground retention system) to minimize erosion. The SWQMP also is required to establish a post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the SWQMP will be required as a condition of approval for the Project, as will the long-term maintenance of erosion and sediment control features. Because the Project would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, the Project would result in less-than-significant impacts related to soil erosion.

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

The Project Site is relatively flat; no substantial natural or man-made slopes are located on or adjacent to the Project Site and no landslides have been recorded on the Project Site or in the immediate vicinity (Google Earth, 2021; CDC, 2019b). As noted in the response to Threshold “a,” the Project includes retaining walls and manufactured slopes that would be engineered for structural soundness and constructed in accordance with the site-specific recommendations contained within the Geotechnical Investigation for the Project Site. Accordingly, the Project would result in less-than-significant impacts associated with landslide hazards.

SCG determined that existing fill soils and near-surface alluvium would result in an average shrinkage of 6 to 11 percent (SCG, 2021, p. 13). However, the Geotechnical Investigation prepared for the Project Site indicates that the site’s shrinkage/subsidence and settlement potential can be attenuated through the removal of surface and near surface soils down to competent materials and replacement with properly compacted fill (SCG, 2021, pp. 13-16). The City will condition the Project to comply with the site-specific ground preparation and construction recommendations contained in the Project Site’s Geotechnical Investigation. Based on the foregoing, potential impacts related to soil shrinkage/subsidence and collapse would be less than significant.

Lateral spreading is primarily associated with liquefaction hazards. As noted above under the discussion of Threshold “a,” based on the Project Site’s lack of shallow groundwater, liquefaction on the Project Site is considered to be low. Thus, the potential for lateral spreading is low (SCG, 2021, p. 11). Accordingly, impacts associated with lateral spreading would be less than significant.



Threshold “d:” Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Based on expansion index testing of soil samples, SCG determined that near surface soils on the Project Site are classified as non-expansive (SCG, 2021, p. 12). Accordingly, the Project Site does not contain expansive soils and as such, would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils. No impacts would occur.

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

As discussed further in EIR Section 2.0, *Environmental Setting*, the Project Site is served by existing wastewater infrastructure (installed beneath Willow Avenue). The Project would connect to this existing wastewater infrastructure and the Project does not propose the use of septic tanks or alternative waste water disposal systems. Accordingly, no impact would occur.

Threshold “f:” Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The eastern portion of the Project Site is underlain with young alluvial fan deposits, which have a low paleontological sensitivity, while the western portion of the Project Site is underlain with old alluvial fan deposits, which contains a high paleontological sensitivity (Rialto, 2010b, Exhibit 4.6.2). In an event that the Project’s construction activities encroach into previously undisturbed Pleistocene older alluvium, the Project could result in impacts to important paleontological resources that may exist below the ground surface if they are unearthed and not properly treated (ibid.). Therefore, the Project’s potential to directly or indirectly destroy a unique paleontological resource buried beneath the ground surface is determined to be a significant impact and mitigation is required.

4.5.6 CUMULATIVE IMPACT ANALYSIS

Geologic, soils, and seismicity impacts are typically confined to contiguous properties or a localized area (generally within a 500-foot radius) in which concurrent construction projects in close proximity could be subject to the same fault rupture system or soils conditions leading to geologic/seismic hazards or erosion impacts. The Project Site is not located within an Alquist-Priolo Earthquake Fault Zone or an area designated as susceptible to seismic or aseismic soil instability. In addition, City regulations and building codes require the consideration of seismic loads in structural design and require development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and implement the site-specific recommendations contained therein. As with the Project, other projects within the cumulative study area would be required to adhere these regulations and implement the site-and project-specific geotechnical recommendations. For these reasons, cumulative impacts under Thresholds “a,” “c,” “d,” and “e” would be less than significant.



As discussed under Threshold “b,” regulatory requirements mandate that the Project incorporate design measures during construction and long-term operation to ensure that significant erosion impacts do not occur. Other development projects in the vicinity of the Project Site would be required to comply with the same regulatory requirements as the Project to preclude substantial adverse water and wind erosion impacts. Because the Project and other projects within the cumulative study area would be subject to similar mandatory regulatory requirements to control erosion hazards during construction and long-term operation, cumulative impacts associated with wind and water erosion hazards would be less than significant.

The Project’s potential to result in cumulative impacts to paleontological resources (Threshold “f”) is similar to that of other projects located in the region that are underlain by Pleistocene older alluvial soils. Because the Pleistocene older alluvial soils present on the Project Site contain high paleontological sensitivity and because this geologic layer is present throughout the City of Rialto and southern California, the potential to impact paleontological resources is a cumulatively-considerable impact for which mitigation is required.

4.5.7 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold “a:” Less-than-Significant Impact. Implementation of the Project would not expose people or structures to substantial direct or indirect adverse effects related to liquefaction or fault rupture. The Project Site is subject to seismic ground shaking associated with earthquakes; however, mandatory compliance with local and State regulatory requirements and building codes would ensure that the Project minimizes potential hazards related to seismic ground shaking to less-than-significant levels.

Threshold “b:” Less-than-Significant Impact. Implementation of the Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain a NPDES permit for construction activities and adhere to a SWPPP, and prepare an erosion control plan to minimize water and wind erosion. Following completion of development, the Project’s owner or operator would be required by law to implement a SWQMP during operation, which would preclude substantial erosion impacts in the long-term.

Threshold “c:” Less-than-Significant Impact. There is no potential for the Project’s construction or operation to cause, or be impacted by, on- or off-site landslides or lateral spreading. Potential hazards associated with unstable soils would be precluded through mandatory adherence to the recommendations contained in the site-specific Geotechnical Investigation during Project construction.

Threshold “d:” No Impact. The Project Site contains soils with no susceptibility to expansion; therefore, the Project would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils. No impact would occur.

Threshold “e:” No Impact. No septic tanks or alternative wastewater disposal systems are proposed to be installed on the Project Site. Accordingly, no impact would occur associated with soil compatibility for wastewater disposal systems.

Threshold “f:” Significant Direct and Cumulatively-Considerable Impact. The Project would not impact any known paleontological resource or unique geological feature. However, a portion of the Project Site may contain Pleistocene older alluvium soils with a high sensitivity for paleontological resources. Accordingly,



construction activities on the Project Site have the potential to unearth and adversely impact paleontological resource that may be buried beneath the ground surface.

4.5.8 MITIGATION

- MM 4.5-1 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Rialto that a qualified paleontologist (“paleontologist”) has been retained by the Project Applicant or contractor to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.
- MM 4.5-2 The paleontologist shall conduct full-time monitoring during grading and excavation operations in undisturbed, Pleistocene older alluvium soils and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the paleontologist to have a low potential to contain or yield fossil resources.
- MM 4.5-3 Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into the collections of the Division of Geological Sciences, San Bernardino County Museum, shall be required for discoveries of significance as determined by the paleontological monitor.
- MM 4.5-4 A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Rialto prior to issuance of the first occupancy permit.

4.5.9 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold “f:” Less-than-Significant with Mitigation Incorporated. MMs 4.5-1 through 4.5-4 would ensure the proper identification and subsequent treatment of any paleontological resources that may be encountered during ground-disturbing activities associated with implementation of the proposed Project. Therefore, with implementation of MM 4.5-1 through MM 4.5-4, the Project’s potential impact to paleontological resources would be reduced to less-than-significant.



4.6 GREENHOUSE GAS EMISSIONS

The analysis provided in this Subsection evaluates the Project’s potential to generate GHG emissions that could contribute substantially to Global Climate Change (GCC) and its associated environmental effects. This analysis is based primarily on information contained in a technical report prepared by Urban Crossroads, Inc. (hereinafter, “Urban Crossroads”) titled “Birtcher Logistics Center Rialto Greenhouse Gas Analysis” (Urban Crossroads, 2022c)¹. The technical report is included as *Technical Appendix F* to this EIR. All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.6.1 EXISTING CONDITIONS

A Introduction to Global Climate Change

GCC is defined as the change in average meteorological conditions on Earth with respect to temperature, precipitation, and storms. The majority of scientists believe that the climate shift taking place since the Industrial Revolution is occurring at a quicker rate and magnitude than in the past (Urban Crossroads, 2022c, p. 9). Scientific evidence suggests that GCC is the result of increased concentrations of GHGs in planet Earth’s atmosphere, including carbon dioxide, methane, nitrous oxide, and fluorinated gases (ibid.).

An individual land development project is not capable of generating the magnitude of GHG emissions necessary to cause a discernible effect on global climate (Urban Crossroads, 2022c, p. 9). However, individual development projects may contribute to GCC by generating GHGs that combine with other regional and global sources of GHGs (ibid.).

B Greenhouse Gases

Carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O) emissions are the focus of evaluation in this Subsection because these gases are the primary contributors to GCC resulting from land development projects (Urban Crossroads, 2022c, pp. 9-10). Although other substances, such as fluorinated gases, also contribute to GCC, sources of fluorinated gases are not well-defined and no accepted emissions factors or methodology exist to accurately calculate the emissions of these gases (ibid.).

A global warming potential (GWP) value represents the effectiveness of a gas to trap heat in the atmosphere (Urban Crossroads, 2022c, p. 16). Individual GHGs have varying GWP values, as assigned by the Intergovernmental Panel on Climate Change (IPCC). As shown in the Table 4.6-1, *GWP and Atmospheric Lifetime of Select GHGs*, GWP values range from 1 for CO₂ up to 23,900 for Sulfur Hexafluoride (SF₆). Carbon dioxide equivalent (CO₂e) is a term used for describing the different GHGs in a common unit. CO₂e signifies the amount of CO₂ which would have the equivalent GWP (ibid.). The atmospheric lifetime and GWP of selected GHGs are summarized in Table 4.6-1.

¹ Urban Crossroads, 2022. *Birtcher Logistics Center Rialto (MC2020-0031) Greenhouse Gas Analysis*. January 26, 2022.



Table 4.6-1 GWP and Atmospheric Lifetime of Select GHGs

Gas	Atmospheric Lifetime (years)	GWP (100-year time horizon)	
		2 nd Assessment Report	5 th Assessment Report
CO ₂	See*	1	1
CH ₄	12.4	21	28
N ₂ O	121	310	265
HFC-23	222	11,700	12,400
HFC-134a	13.4	1,300	1,300
HFC-152a	1.5	140	138
SF ₆	3,200	23,900	23,500

*As per Appendix 8.A. of IPCC’s 5th Assessment Report, no single lifetime can be given.

Source: Table 2.14 of the IPCC Fourth Assessment Report, 2007

Source: (Urban Crossroads, 2022c, Table 2-2)

Provided below is a description of the various gases that contribute to GCC. For more information about these gases and their associated human health effects, refer to Section 2.3 of *Technical Appendix F* and the reference sources cited therein (Urban Crossroads, 2022c, pp. 9-15).

- **Water Vapor (H₂O)** is the most abundant and variable GHG in the atmosphere. Changes in the concentration of water vapor in the atmosphere are considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity rises (in essence, the air is able to ‘hold’ more water when it is warmer), leading to more water vapor in the atmosphere. The higher concentration of water vapor in the atmosphere is then able to absorb more indirect thermal energy radiated from the Earth, further warming the atmosphere and causing the evaporation cycle to perpetuate. This is referred to as a “positive feedback loop.” The extent to which this positive feedback loop will continue is unknown as there are also dynamics that hold the positive feedback loop in check. As an example, when water vapor increases in the atmosphere, more of it will eventually also condense into clouds, which are able to reflect incoming solar radiation and thereby allow less energy to reach the Earth’s surface and heat it up. There are no human health effects from water vapor itself; however, certain pollutants can dissolve in water vapor and the water vapor can then act as a pollutant-carrying agent.
- **Carbon Dioxide (CO₂)** is an odorless and colorless GHG that is emitted from natural and man-made sources. Natural CO₂ sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals and fungus; evaporation from oceans; and volcanic outgassing. Man-made CO₂ sources include: the burning of coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700s, human activities that produce CO₂ have increased dramatically. As an example, prior to the industrial revolution, CO₂ concentrations in the atmosphere were fairly stable at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30 percent. Exposure to CO₂ in high concentrations can cause adverse human health effects, but outdoor (atmospheric) levels are not high enough to be detrimental to human health.
- **Methane (CH₄)** absorbs thermal radiation extremely effectively (i.e., retains heat). Over the last 50 years, human activities such as rice cultivation, cattle ranching, natural gas combustion, and coal



mining have increased the concentration of methane in the atmosphere. Other man-made sources include fossil-fuel combustion and biomass burning. No human health effects are known to occur from atmospheric exposure to methane; however, methane is an asphyxiant that may displace oxygen in enclosed spaces.

- **Nitrous Oxide (N₂O)** concentrations began to rise in the atmosphere at the beginning of the industrial revolution. N₂O can be transported into the stratosphere, be deposited on the Earth's surface, and be converted to other compounds by chemical reaction. N₂O is produced by microbial processes in soil and water, including reactions that occur in nitrogen-containing fertilizer. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. N₂O also is used as an aerosol spray propellant, as a preservative in potato chip bags, and in rocket engines and in race cars. Also, known as laughing gas, N₂O is a colorless GHG that can cause dizziness, euphoria, and hallucinations. In small doses, it is considered harmless; however, heavy and extended use can cause brain damage.
- **Chlorofluorocarbons (CFCs)** are gases formed synthetically by replacing all hydrogen atoms in CH₄ or ethane (C₂H₆) with chlorine and/or fluorine atoms. CFCs are non-toxic, non-flammable, insoluble and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs were first synthesized in 1928 and have no natural source. CFCs were used for refrigerants, aerosol propellants and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and has been extremely successful, so much so that levels of CFCs are now remaining steady or declining. However, due to their long atmospheric lifetime, some of the CFCs will remain in the atmosphere for over 100 years.
- **Hydrofluorocarbons (HFCs)** are synthetic, man-made chemicals that are used as a substitute for CFCs and have one of the highest global warming potential ratings. The HFCs with the largest measured atmospheric abundances are (in order largest to smallest), HFC-23 (CHF₃), HFC-134a (CF₃CH₂F), and HFC-152a (CH₃CHF₂). No human health effects are known to result from exposure to HFCs, which are man-made and used for applications such as automobile air conditioners and refrigerants.
- **Perfluorocarbons (PFCs)** are primarily produced for aluminum production and semiconductor manufacture. PFCs have stable molecular structures and do not break down through chemical processes in the lower atmosphere. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF₄) and hexafluoroethane (C₂F₆). No human health effects are known to result from exposure to PFCs.
- **Sulfur Hexafluoride (SF₆)** is an inorganic, odorless, colorless, nontoxic, nonflammable gas. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection. In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.



C Greenhouse Gas Emissions Inventory

1. Global and National

Worldwide, man-made GHG emissions are tracked by the IPCC. Man-made GHG emissions data is available through 2018 for industrialized nations (referred to as Annex I). Based on the latest available data, total GHG emissions from Annex I nations were approximately 28,768,440 gigagrams (Gg) of carbon dioxide equivalent (CO₂e) (Urban Crossroads, 2022c, p. 16). The United States is the world’s second-largest emitter of GHGs, producing 6,676,650 Gg CO₂e in 2018 (Urban Crossroads, 2022c, p. 17).

2. State of California

Based on the most recent GHG inventory data compiled by the CARB and published in 2019, California emitted an average of approximately 425.3 million metric tons (MMT) CO₂e per year between 2000-2018 (Urban Crossroads, 2022c, p. 17).

3. Project Site

Sources of GHG emissions on the Project Site under existing conditions include trailer storage lot operations (including vehicular transportation to-and-from the site), and the operation of maintenance equipment associated with periodic weed abatement activities. The estimated GHG emissions from the existing uses on the Project Site is 1,538.38 metric tons of CO₂ equivalent (MTCO₂e) (Urban Crossroads, 2022c, p. 48).

D Potential Effects of Climate Change in California

In 2006, the California Climate Change Center (CCCC) published a report titled “Scenarios of Climate Change in California: An Overview” (the “Climate Scenarios report”) that is generally instructive about effects of climate change in California. The Climate Scenarios report used a range of emissions scenarios developed by the IPCC to project a series of potential warming ranges (i.e., temperature increases) that may occur in California during the 21st century: lower warming range (3.0-5.4°F); medium warming range (5.5-7.8°F); and higher warming range (8.0-10.4°F) (CCCC, 2006, p. 7)².

In 2009, the California Natural Resources Agency adopted the “California Climate Adaptation Strategy,” which report details many vulnerabilities arising from climate change with respect to matters such as temperature extremes, sea level rise, wildfires, floods and droughts and precipitation changes, and responds to the Governor’s Executive Order (EO) S-13-2008 that called on state agencies to develop California’s strategy to identify and prepare for expected climate impacts (CNRA, 2009, p. 4)³.

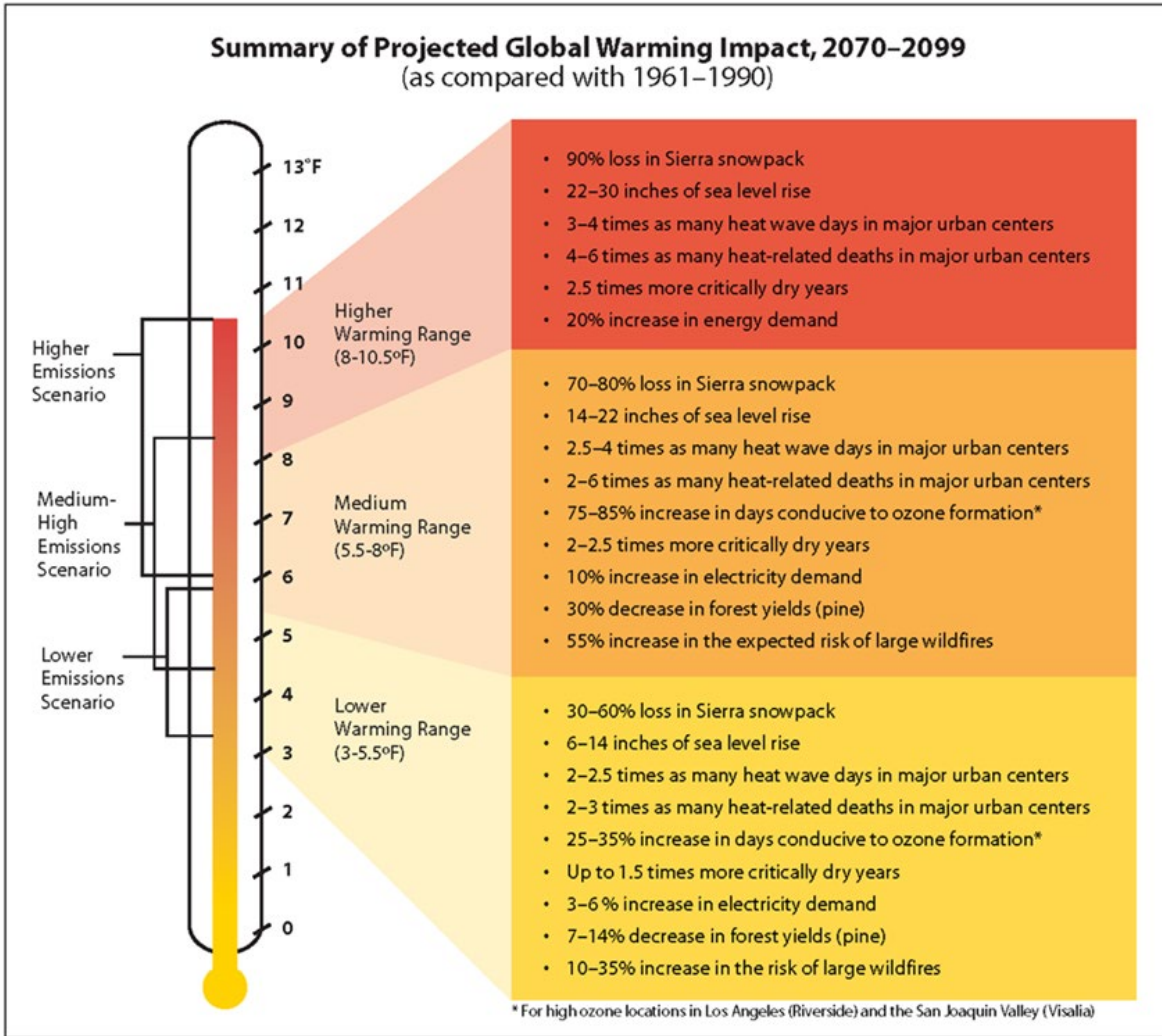
Based on the estimated scenarios presented in the Climate Scenario and California Climate Adaption Strategy reports, Table 4.6-2, *Summary of Projected Global Warming Impact, 2070-2099*, presents potential impacts of global warming within California.

² California Climate Change Center, 2006. *Scenarios of Climate Change in California: An Overview*. February 2006. https://planning.lacity.org/eir/8150Sunset/References/4.E.%20Greenhouse%20Gas%20Emissions/GHG.22_CEC%20Climate%20Change%20Scenarios.pdf.

³ California Natural Resources Agency, 2009. *2009 California Climate Adaptation Strategy*. https://resources.ca.gov/CNRALegacyFiles/docs/climate/Statewide_Adaptation_Strategy.pdf



Table 4.6-2 Summary of Projected Global Warming Impact, 2070-2099



Source: (Urban Crossroads, 2022c, Exhibit 2-A)

The potential effects of climate change in California are summarized below and include, but are not limited to, the following (CCCC, 2006, pp. 10, 14, 19, 22, 26):

- **Human Health Effects.** Climate change can affect the health of Californians by increasing the frequency, duration, and intensity of conditions conducive to air pollution formation, oppressive heat, and wildfires. The primary concern is not the change in average climate, but rather the projected increase in extreme conditions that are responsible for the most serious health consequences. In addition, climate change has the potential to influence asthma symptoms and the incidence of infectious disease.
- **Water Resource/Supply Effects.** Although most climate model simulations predict relatively moderate changes in precipitation over the 21st century, rising temperatures are expected to lead to diminishing snow accumulation in mountainous watersheds, including the Sierra Nevada. Warmer conditions during the last few decades across the western United States have already produced a shift



toward more precipitation falling as rain instead of snow, and snowpacks over the region have been melting earlier in the spring. Delays in snow accumulation and earlier snowmelt can have cascading effects on water supplies, natural ecosystems, and winter recreation.

- **Agriculture Effects.** Agriculture, along with forestry, is the sector of the California economy that is most likely to be affected by a change in climate. California agriculture is a \$68 billion industry. California is the largest agricultural producer in the nation and accounts for 13 percent of all U.S. agricultural sales, including half of the nation’s total fruits and vegetables. Regional analyses of climate trends over agricultural regions of California suggest that climate change is already affecting the agriculture industry. Over the period 1951 to 2000, the growing season has lengthened by about a day per decade, and warming temperatures resulted in an increase of 30 to 70 growing degree days per decade, with much of the increase occurring in the spring. Climate change affects agriculture directly through increasing temperatures and rising CO₂ concentrations, and indirectly through changes in water availability and pests.
- **Forest and Landscape Effects.** Climate changes and increased CO₂ concentrations are expected to alter the extent and character of forests and other ecosystems. The distribution of species is expected to shift; the risk of climate-related disturbance such as wildfires, disease, and drought is expected to rise; and forest productivity is projected to increase or decrease – depending on species and region. In California, these ecological changes could have measurable implications for both market (e.g., timber industry, fire suppression and damages costs, public health) and nonmarket (e.g., ecosystem services) values.
- **Sea Level Effects.** Coastal observations and global model projections indicate that California’s open coast and estuaries will experience rising sea levels during the next century. Sea level rise already has affected much of the coast in southern California, Central California, and the San Francisco Bay and estuary. These historical trends, quantified from a small set of California tide gages, have approached 0.08 inches per year (in/yr), which are rates very similar to those estimated for global mean sea level. So far, there is little evidence that the rate of rise has accelerated, and indeed the rate of rise at California tide gages has actually flattened since about 1980. However, projections indicate that substantial sea level rise, even faster than the historical rates, could occur during the next century. Sea level rise projections range from 5.1–24.4 in. higher than the 2000 sea level for simulations under the lower emissions scenario, from 7.1–29.9 in. for the medium-high emission scenario, and from 8.5–35.2 in. for the higher emissions scenario.

4.6.2 REGULATORY SETTING

The following is a brief description of the federal, State, and local environmental laws and related regulations related to GHG emissions.

A International Plans, Policies, and Regulations

1. Kyoto Protocol

The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its parties by setting internationally binding emission reduction targets. Recognizing that developed countries are principally responsible for the current high levels of GHG emissions



in the atmosphere as a result of more than 150 years of industrial activity, the Protocol places a heavier burden on developed nations under the principle of "common but differentiated responsibilities."

The Kyoto Protocol was adopted in Kyoto, Japan, on December 11, 1997 and entered into force on February 16, 2005 (UNFCCC, 2021a)⁴. The detailed rules for the implementation of the Protocol were adopted at Conference of the Parties (COP) 7 in Marrakesh, Morocco, in 2001, and are referred to as the "Marrakesh Accords" (ibid.) Its first commitment period started in 2008 and ended in 2012.

In Doha, Qatar, on December 8, 2012, the "Doha Amendment to the Kyoto Protocol" was adopted. The amendment includes (ibid.):

- New commitments for Annex I Parties to the Kyoto Protocol who agreed to take on commitments in a second commitment period from January 1, 2013 to December 31, 2020;
- A revised list of GHG to be reported on by Parties in the second commitment period; and
- Amendments to several articles of the Kyoto Protocol which specifically referenced issues pertaining to the first commitment period and which needed to be updated for the second commitment period.

On December 21, 2012, the amendment was circulated by the Secretary-General of the United Nations, acting in his capacity as Depositary, to all Parties to the Kyoto Protocol in accordance with Articles 20 and 21 of the Protocol (ibid.).

During the first commitment period, 37 industrialized countries and the European Community committed to reduce GHG emissions to an average of five percent against 1990 levels (ibid.). During the second commitment period, Parties committed to reduce GHG emissions by at least 18 percent below 1990 levels in the eight-year period from 2013 to 2020; however, the composition of Parties in the second commitment period is different from the first (ibid.).

2. *The Paris Agreement*

The Paris Agreement entered into force on November 4, 2016 (UNFCCC, 2021b)⁵. The Paris Agreement builds upon the Convention and – for the first time – brings all nations into a common cause to undertake ambitious efforts to combat climate change and adapt to its effects, with enhanced support to assist developing countries to do so (ibid.). As such, it charts a new course in the global climate effort.

The Paris Agreement's central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius (ibid.). Additionally, the agreement aims to strengthen the ability of countries to deal with the impacts of climate change (ibid.). To reach these ambitious goals, appropriate financial flows, a new technology framework and an enhanced capacity building framework will be put in place, thus supporting action by developing countries and the most

⁴ United Framework Convention on Climate Change, 2021. *What is the Kyoto Protocol?* https://unfccc.int/kyoto_protocol

⁵ United Framework Convention on Climate Change, 2021. *The Paris Agreement.* <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>



vulnerable countries, in line with their own national objectives (ibid.). The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework.

The Paris Agreement requires all Parties to put forward their best efforts through “nationally determined contributions” (NDCs) and to strengthen these efforts in the years ahead. This includes requirements that all Parties report regularly on their emissions and on their implementation efforts (ibid.).

B Federal Plans, Policies, and Regulations

1. Clean Air Act

Coinciding with the 2009 meeting of international leaders in Copenhagen, on December 7, 2009, the EPA issued an Endangerment Finding under Section 202(a) of the CAA, opening the door to federal regulation of GHGs. The Endangerment Finding notes that GHGs threaten public health and welfare and are subject to regulation under the CAA. To date, the EPA has not promulgated regulations on GHG emissions, but it has begun to develop them.

Previously the EPA had not regulated GHGs under the CAA because it asserted that the Act did not authorize it to issue mandatory regulations to address GCC and that such regulation would be unwise without an unequivocally established causal link between GHGs and the increase in global surface air temperatures. In *Massachusetts v. Environmental Protection Agency et al.* (127 S. Ct. 1438 [2007]); however, the U.S. Supreme Court held that GHGs are pollutants under the CAA and directed the EPA to decide whether the gases endangered public health or welfare. The EPA had also not moved aggressively to regulate GHGs because it expected Congress to make progress on GHG legislation, primarily from the standpoint of a cap-and-trade system. However, proposals circulated in both the House of Representative and Senate have been controversial and it may be some time before the U.S. Congress adopts major climate change legislation. The EPA’s Endangerment Finding paves the way for federal regulation of GHGs with or without Congress.

C State Plans, Policies, and Regulations

1. Title 24 Building Energy Standards

The CEC first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods. The 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020. Thus, the analysis herein assumes compliance with the 2019 Title 24 Standards.

Part 11 of Title 24 is referred to as the CalGreen Code. The purpose of the CalGreen Code is to “improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality.” The



CalGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the CBSC. Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CalGreen Code.

2. California Assembly Bill No. 1493 (AB 1493)

AB 1493 required CARB to adopt the nation’s first GHG emission standards for automobiles. On September 24, 2009, CARB adopted amendments to the “Pavley” regulations that reduce GHG emissions in new passenger vehicles from model year 2009 through 2016. These amendments were part of California’s commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016. CARB’s September amendments cement California’s enforcement of the Pavley rule starting in 2009 while providing vehicle manufacturers with new compliance flexibility. The amendments also prepare California to harmonize its rules with the federal rules for passenger vehicles.

The U.S. EPA granted California the authority to implement GHG emission reduction standards for new passenger cars, pickup trucks, and sport utility vehicles on June 30, 2009. The first California request to implement GHG standards for passenger vehicles, known as a waiver request, was made in December 2005, and was denied by the EPA in March 2008. That decision was based on a finding that California’s request to reduce GHG emissions from passenger vehicles did not meet the CAA requirement of showing that the waiver was needed to meet “compelling and extraordinary conditions.”

CARB’s Board originally approved regulations to reduce GHGs from passenger vehicles in September 2004, with the regulations to take effect in 2009. These regulations were authorized by the 2002 legislation Assembly Bill 1493 (Pavley). The regulations had been threatened by automaker lawsuits and were stalled by the EPA’s delay in reviewing and then initially denying California’s waiver request. The parties involved entered a May 19, 2009 agreement to resolve these issues. With the granting of the waiver on June 30, 2009, it is expected that the Pavley regulations reduced GHG emissions from California passenger vehicles by about 22 percent in 2012 and about 30 percent in 2016, all while improving fuel efficiency and reducing motorists’ costs (CARB, 2021c)⁶.

The CARB has adopted a new approach to passenger vehicles – cars and light trucks – by combining the control of smog-causing pollutants and greenhouse gas emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emission vehicles in California.

3. Executive Order S-3-05

EO S-3-05 documents GHG emission reduction goals, creates the Climate Action Team and directs the Secretary of the California EPA to coordinate efforts with meeting the GHG reduction targets with the heads of other state agencies. The EO requires the Secretary to report back to the Governor and Legislature biannually to report: progress toward meeting the GHG goals; GHG impacts to California; and applicable Mitigation and Adaptation Plans. EO S-3-05 goals for GHG emissions reductions include: reducing GHG

⁶ California Air Resources Board, 2021. *California’ Greenhouse Gas Vehicle Emission Standards Under Assembly Bill 1493 of 2002 (Pavley)*. <https://ww2.arb.ca.gov/californias-greenhouse-gas-vehicle-emission-standards-under-assembly-bill-1493-2002-pavley>



emissions to 2000 levels by the year 2010; reducing GHG emissions to 1990 levels by the year 2020; and reducing GHG emissions to 80 percent below 1990 levels by 2050.

4. California Assembly Bill 32 – Global Warming Solutions Act of 2006

In September 2006, Governor Schwarzenegger signed Assembly Bill 32 (AB 32), the California Climate Solutions Act of 2006. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020, which represents a reduction of approximately 15 percent below emissions expected under a “business as usual” scenario. Pursuant to AB 32, the CARB must adopt regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. The full implementation of AB 32 will help mitigate risks associated with climate change, while improving energy efficiency, expanding the use of renewable energy resources, cleaner transportation, and reducing waste.

AB 32 specifically requires that CARB shall do the following (CARB, 2005)⁷:

- Prepare and approve a Scoping Plan for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions from sources or categories of sources of GHGs by 2020, and update the Scoping Plan every five years.
- Maintain and continue reductions in emissions of GHG beyond 2020.
- Identify the statewide level of GHG emissions in 1990 to serve as the emissions limit to be achieved by 2020.
- Identify and adopt regulations for discrete early actions that could be enforceable on or before January 1, 2010.
- Adopt a regulation that establishes a system of market-based declining annual aggregate emission limits for sources or categories of sources that emit GHG emissions.
- Convene an Environmental Justice Advisory Committee to advise the Board in developing and updating the Scoping Plan and any other pertinent matter in implementing AB 32.
- Appoint an Economic and Technology Advancement Advisory Committee to provide recommendations for technologies, research, and GHG emission reduction measures.

In November 2007, CARB completed its estimated calculations of Statewide 1990 GHG levels. Net emission 1990 levels were estimated at 427 MMTs (CARB, 2007)⁸. Accordingly, 427 MMTs of carbon dioxide equivalent (MMT_{CO₂e}) was established as the emissions limit for 2020. For comparison, CARB’s estimate for year 2000 GHG emissions was 473 MMT_{CO₂e} and, without emissions reduction measures, year 2010 emissions were projected to be 532 MMT_{CO₂e} (ibid.). “Business as usual” conditions (without the reductions to be implemented by CARB regulations) for 2020 were projected to be 596 MMT_{CO₂e} (ibid.).

⁷ California Air Resources Board, 2005. *Executive Order S-03-05*.

[http://static1.squarespace.com/static/549885d4e4b0ba0bff5dc695/t/54d7f1e0e4b0f0798cee3010/1423438304744/California+Executive+Order+S-3-05+\(June+2005\).pdf](http://static1.squarespace.com/static/549885d4e4b0ba0bff5dc695/t/54d7f1e0e4b0f0798cee3010/1423438304744/California+Executive+Order+S-3-05+(June+2005).pdf).

⁸ California Air Resources Board, 2007. *Staff Report California 1990 Greenhouse Gas Emissions Level and 2020 Emissions Limit*.

https://ww3.arb.ca.gov/cc/inventory/pubs/reports/staff_report_1990_level.pdf



AB 32 requires CARB to develop a Scoping Plan which lays out California's strategy for meeting the goals. The Scoping Plan must be updated every five years. In December 2008, the Board approved the initial Scoping Plan, which included a suite of measures to sharply cut GHG emissions. Table 4.6-3, *Scoping Plan GHG Reduction Measures Towards 2020 Target*, shows the proposed reductions from regulations and programs outlined in the Scoping Plan. While local government operations were not accounted for in achieving the Year 2020 emissions reduction, local land use changes are estimated to result in a reduction of 5 MMTCO_{2e}, which is approximately 3 percent of the 2020 GHG emissions reduction goal (CARB, 2005). In recognition of the critical role local governments will play in successful implementation of AB 32, CARB is recommending GHG reduction goals of 15 percent of 2006 levels by 2020 to ensure that municipal and community-wide emissions match the State's reduction target (ibid.). According to the Measure Documentation Supplement to the Scoping Plan, local government actions and targets are anticipated to reduce vehicle miles by approximately 2 percent through land use planning, resulting in a potential GHG reduction of 2 MMTCO_{2e} (or approximately 1.2 percent of the GHG reduction target) (ibid.).

Overall, CARB determined that achieving the 1990 emission level in 2020 would require a reduction in GHG emissions of approximately 28.5 percent in the absence of new laws and regulations (referred to as "Business-As-Usual" [BAU]) (ibid.). The Scoping Plan evaluates opportunities for sector-specific reductions, integrates all CARB and Climate Action Team (CAT) early actions and additional GHG reduction measures, identifies additional measures to be pursued as regulations, and outlines the role of the cap-and-trade program (ibid.).

In May 2014, CARB approved the First Update to the Climate Change Scoping Plan (Update), which builds upon the initial Scoping Plan with new strategies and recommendations. The Update highlights California's progress toward meeting the near-term 2020 GHG emission reduction goals, highlights the latest climate change science and provides direction on how to achieve long-term emission reduction goal described in Executive Order S-3-05. The Update recalculates 1990 GHG emissions using new global warming potentials identified in the IPCC Fourth Assessment Report released in 2007. Using those GWPs, the 427 MTCO_{2e} 1990 emissions level and 2020 GHG emissions limit identified in the 2008 Scoping Plan would be slightly higher, at 431 MTCO_{2e} (ibid.). Based on the revised 2020 emissions level projection identified in the 2011 Final Supplement and the updated 1990 emissions levels identified in the discussion draft of the First Update, achieving the 1990 emissions level in 2020 would require a reduction of 78 MTCO_{2e} (down from 509 MTCO_{2e}), or approximately 15.3 percent (down from 28.5 percent), from the BAU condition (ibid.).

In December 2017, CARB adopted the Second Update to the Scoping Plan, which identifies the State's post-2020 reduction strategy. The Second Update reflects the 2030 target of a 40 percent GHG emissions reduction below 1990 levels set by SB 32. The Second Update builds upon the Cap- and-Trade Regulation; the Low Carbon Fuel Standard; much cleaner cars, trucks and freight movement; cleaner, renewable energy; and strategies to reduce methane emissions from agricultural and other wastes to reduce GHG emissions.



Table 4.6-3 Scoping Plan GHG Reduction Measures Towards 2020 Target

<i>Recommended Reduction Measures</i>	<i>Reductions Counted toward 2020 Target of 169 MMT CO₂e</i>	<i>Percentage of Statewide 2020 Target</i>
Cap and Trade Program and Associated Measures		
California Light-Duty Vehicle GHG Standards	31.7	19%
Energy Efficiency	26.3	16%
Renewable Portfolio Standard (33 percent by 2020)	21.3	13%
Low Carbon Fuel Standard	15	9%
Regional Transportation-Related GHG Targets ¹	5	3%
Vehicle Efficiency Measures	4.5	3%
Goods Movement	3.7	2%
Million Solar Roofs	2.1	1%
Medium/Heavy Duty Vehicles	1.4	1%
High Speed Rail	1.0	1%
Industrial Measures	0.3	0%
Additional Reduction Necessary to Achieve Cap	34.4	20%
Total Cap and Trade Program Reductions	146.7	87%
Uncapped Sources/Sectors Measures		
High Global Warming Potential Gas Measures	20.2	12%
Sustainable Forests	5	3%
Industrial Measures (for sources not covered under cap and trade program)	1.1	1%
Recycling and Waste (landfill methane capture)	1	1%
Total Uncapped Sources/Sectors Reductions	27.3	16%
Total Reductions Counted toward 2020 Target	174	100%
Other Recommended Measures – Not Counted toward 2020 Target		
State Government Operations	1.0 to 2.0	1%
Local Government Operations	To Be Determined ²	NA
Green Buildings	26	15%
Recycling and Waste	9	5%
Water Sector Measures	4.8	3%
Methane Capture at Large Dairies	1	1%
Total Other Recommended Measures – Not Counted toward 2020 Target	42.8	NA

Source: CARB, 2008, MMTons CO₂e: million metric tons of CO₂e

¹Reductions represent an estimate of what may be achieved from local land use changes. It is not the SB 375 regional target.

²According to the Measure Documentation Supplement to the Scoping Plan, local government actions and targets are anticipated to reduce vehicle miles by approximately 2 percent through land use planning, resulting in a potential GHG reduction of 2 million metric tons of CO₂e (or approximately 1.2 percent of the GHG reduction target). However, these reductions were not included in the Scoping Plan reductions to achieve the 2020 Target

5. California Senate Bill No. 1368 (SB 1368)

In 2006, the State Legislature adopted SB 1368 (Perata, Chapter 598, Statutes of 2006), which directs the CPUC to adopt a GHG emission performance standard (EPS) for the future power purchases of California utilities. SB 1368 seeks to limit carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than five years from resources that exceed specified emissions criteria (CEC, 2021)⁹. Accordingly, SB 1368 effectively prevents California’s utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of

⁹ California Energy Commission, 2021. *Emission Performance Standard – SB 1368*. <https://www.energy.ca.gov/rules-and-regulations/energy-suppliers-reporting/emission-performance-standards-sb-1368>



the State. SB 1368 will lead to dramatically lower GHG emissions associated with California energy demand (ibid.).

6. Executive Order S-01-07

EO S-01-07 is effectively known as the Low Carbon Fuel Standard (LCFS). The Executive Order seeks to reduce the carbon intensity of California's passenger vehicle fuels by at least 10 percent by 2020 (Office of the Governor, 2007).¹⁰ The LCFS requires fuel providers in California to ensure that the mix of fuel they sell into the California market meet, on average, a declining standard for GHG emissions measured in CO₂e grams per unit of fuel energy sold.

7. Senate Bill 1078

SB 1078 establishes the California Renewables Portfolio Standard Program, which requires electric utilities and other entities under the jurisdiction of the California Public Utilities Commission to meet 20% of their renewable power by December 31, 2017 for the purposes of increasing the diversity, reliability, public health, and environmental benefits of the energy mix (CA Legislative Info, 2002)¹¹.

8. Senate Bill 107

SB 107 directed California Public Utilities Commission's Renewable Energy Resources Program to increase the amount of renewable electricity (Renewable Portfolio Standard) generated per year, from 17% to an amount that equals at least 20% of the total electricity sold to retail customers in California per year by December 31, 2010 (CA Legislative Info, 2015)¹².

9. Executive Order S-14-08

On November 17, 2008, Governor Schwarzenegger signed Executive Order S-14-08, revising California's existing RPS upward to require all retail sellers of electricity to serve 33% of their load from renewable energy sources by 2020. In order to meet this new goal, a substantial increase in the development of wind, solar, geothermal, and other "RPS eligible" energy projects will be needed. Executive Order S-14-08 seeks to accelerate such development by streamlining the siting, permitting, and procurement processes for renewable energy generation facilities.

10. Senate Bill 97

By enacting SB 97 in 2007, California's lawmakers expressly recognized the need to analyze GHGs as a part of the CEQA process. SB 97 required the Governor's Office of Planning and Research (OPR) to develop, and the Natural Resources Agency to adopt, amendments to the CEQA Guidelines addressing the analysis and mitigation of greenhouse gas emissions. Those CEQA Guidelines amendments clarified several points, including the following (CA Legislative Info, 2007)¹³:

¹⁰ Office of the Governor, 2007. *Executive Order S-01-07*. <https://web.archive.org/web/20081026081001/http://gov.ca.gov/executive-order/5172/>.

¹¹ California Legislative Information, 2002. *Senate Bill No. 1078*. https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=200120020SB1078.

¹² California Legislative Information, 2015. *Senate Bill No. 107*. https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB107.

¹³ California Legislative Information, 2007. *Senate Bill No. 97*. https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=200720080SB97



- Lead agencies must analyze the GHG emissions of proposed projects, and must reach a conclusion regarding the significance of those emissions. (See CEQA Guidelines Section 15064.4.)
- When a project’s GHG emissions may be significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions. (See CEQA Guidelines Section 15126.4(c).)
- Lead agencies must analyze potentially significant impacts associated with placing projects in hazardous locations, including locations potentially affected by climate change. (See CEQA Guidelines Section 15126.2(a).)
- Lead agencies may significantly streamline the analysis of GHGs on a project level by using a programmatic GHG emissions reduction plan meeting certain criteria. (See CEQA Guidelines Section 15183.5(b).)
- CEQA mandates analysis of a proposed project’s potential energy use (including transportation-related energy), sources of energy supply, and ways to reduce energy demand, including through the use of efficient transportation alternatives. (See CEQA Guidelines, Appendix F.)

The CEQA Guideline amendments do not identify a quantitative threshold of significance for GHG emissions, nor do they prescribe assessment methodologies or specific mitigation measures (ibid.). Instead, they call for a “good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project” (ibid.) The amendments encourage lead agencies to consider many factors in performing a CEQA analysis and preserve lead agencies’ discretion to make their own determinations based upon substantial evidence. The amendments also encourage public agencies to make use of programmatic mitigation plans and programs from which to tier when they perform individual project analyses. The GHG analysis thresholds incorporated into the CEQA Guidelines’ Environmental Checklist (Guidelines Appendix G) are addressed in this EIR. The amendments to the CEQA Guidelines implementing SB 97 became effective on March 18, 2010.

11. Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008) supports the State's climate action goals to reduce GHG emissions through coordinated transportation and land use planning with the goal of more sustainable communities. Under the Sustainable Communities Act, CARB sets regional targets for GHG emissions reductions from passenger vehicle use (CARB, 2021d)¹⁴. In 2010, CARB established these targets for 2020 and 2035 for each region covered by one of the State's MPO (ibid.). CARB will periodically review and update the targets, as needed.

Each of California’s MPOs must prepare a SCS as an integral part of its RTP. The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets (ibid.). Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. CARB must review the adopted SCS to confirm and accept the MPO's determination that the SCS would meet the regional GHG targets (ibid.). If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate “alternative planning strategy” (APS) to meet the targets (ibid.). The APS is not a part of the RTP.

¹⁴ California Air Resources Board, 2021. *Sustainable Communities & Climate Protection Program*. <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-climate-protection-program/about>



The Sustainable Communities Act also establishes incentives to encourage local governments and developers to implement the SCS or the APS. Developers can get relief from certain environmental review requirements under CEQA if their new residential and mixed-use projects are consistent with a region’s SCS (or APS) that meets the targets (see Cal. Public Resources Code Sections 21155, 21155.1, 21155.2, 21159.28.) (ibid.).

12. *Executive Order B-30-15 & Senate Bill 32*

On April 29, 2015, former Governor Brown issued Executive Order B-30-15, which sets a goal to reduce GHG emissions in California to 40 percent below 1990 levels by 2030. The 2030 target serves as a benchmark goal on the way to achieving the GHG reductions goal set by former Governor Schwarzenegger via Executive Order S-3-05 (i.e., 80 percent below 1990 GHG emissions levels by 2050).

On September 8, 2016, former Governor Jerry Brown signed the Senate Bill (SB) 32 and its companion bill, AB 197. SB 32 requires the State to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in EO B-30-15. The new legislation builds upon the AB 32 goal of 1990 levels by 2020 and provides an intermediate goal to achieving S-3-05, which sets a statewide greenhouse gas reduction target of 80% below 1990 levels by 2050.

D Local Plans, Policies, and Regulations

1. *City of Rialto Climate Adaptation Plan*

The City is in the process of preparing a Climate Adaptation Plan to evaluate Rialto’s vulnerabilities related to four climate-related hazards, air pollution, extreme heat, wildfire, and flooding, and provide policy recommendations to increase the City’s ability to adapt to these hazards and meet the needs of its vulnerable communities. As of the of writing this EIR, the City’s Climate Adaptation Plan was in draft form, had not been approved by the City Council, and was not in effect or applicable to the Project.

4.6.3 METHODOLOGY FOR ESTIMATING GREENHOUSE GAS EMISSIONS

The California Emission Estimator Model (CalEEMod, v2020.4.0, released on May 2021), developed by the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the SCAQMD and air pollution control districts across the State, was used to quantify GHG emissions from Project-related construction and operational activities (Urban Crossroads, 2022c, p. 41). CalEEMod is the software analysis tool recommended by SCAQMD for the quantification of GHG emissions associated with the construction and operation of land development projects because it is the only software model maintained by CAPCOA and incorporates locally-approved emission factors and methodologies for estimating pollutant emissions. Inputs and outputs from the model runs for both Project-related construction and operational activities are provided in Appendices 3.1 through 3.4 of *Technical Appendix F*.

Although CalEEMod is a comprehensive analysis tool, CalEEMod is limited to quantifying GHG emissions that are known as of the date of release of the model, there may be sources of GHG emissions that are not known (or not quantifiable) at this time but may be measurable by the time the Project is constructed and operational. Furthermore, CalEEMod relies on data published by the CARB and other data sources to be representative of local/regional averages which may not be completely representative of the Project’s construction and/or operational characteristics (and may slightly underestimate or overestimate the Project’s



emissions). Lastly, not all the CalEEMod calculation data files are known or publicly available for review, although it is reasonable to assume that the data contained in CalEEMod is accurate and grounded in science because CalEEMod is developed by CAPCOA in collaboration with 35 local air pollution control districts.

A life-cycle analysis (LCA), which assesses economy-wide GHG emissions from construction (i.e., the processes in manufacturing and transporting all raw materials used in the project development and infrastructure) and operation, was not conducted for the Project due to the lack of scientific consensus on LCA methodology (Urban Crossroads, 2022c, p. 41). A LCA depends on emission factors or econometric factors that are not well established for all processes as of the date the NOP for this EIR was published (ibid.). Additionally, SCAQMD recommends analyzing a project’s direct and indirect GHG emissions generated within California in-lieu of an LCA because a project’s life-cycle effects could extend beyond California and these effects might not be well understood or well documented and/or infeasible to mitigate (ibid.).

A Methodology for Estimating Project-Related Construction Emissions

The Project’s construction-related GHG emissions were calculated using the same methodology, construction schedule information, and equipment fleet information that were used to calculate construction-related criteria air pollutant emissions described in detail in EIR Subsection 4.2, *Air Quality* (Urban Crossroads, 2022c, p. 41). Refer to EIR Subsection 4.2 and *Technical Appendix F* for a detailed description of the methodology used to calculate the Project’s construction GHG emissions.

In accordance with the SCAQMD recommendations, the Project’s construction-related GHG emissions were quantified, amortized over a 30-year period, and then added to the sum of the Project’s annual operational GHG emissions (Urban Crossroads, 2022c, p. 43).

B Methodology for Estimating Project-Related Operational Emissions

The Project’s operational GHG emissions were calculated using the same methodology that was used to calculate operational criteria air pollutant emissions, and as previously described in detail in EIR Subsection 4.2, *Air Quality* (Urban Crossroads, 2022c, p. 41). Refer to EIR Subsection 4.2 and *Technical Appendix F* for a detailed description of the methodology used to calculate the Project’s operational GHG emissions.

4.6.4 BASIS FOR DETERMINING SIGNIFICANCE

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address a development project’s potential to result in significant impacts due to GHG emissions. Neither the CEQA Statute nor the CEQA Guidelines prescribe specific methodologies and significance criteria for determining the significance of GHG emissions impacts. The CEQA Guidelines emphasize the lead agency’s discretion to determine the appropriate thresholds consistent with the manner in which other impact categories are handled in CEQA. CEQA case law has upheld local agencies’ discretion to determine the significance of GHG emissions impacts. The proposed Project would result in a significant impact to greenhouse gas emissions if the Project or any Project-related component would:

- a. *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or*



- b. *Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

As part of the November, 30, 2015, decision in *Center for Biological Diversity v. California Department of Fish and Wildlife* (“Newhall Ranch”), the California Supreme Court outlined four potential pathways that CEQA compliance documents could use to determine if GHG emissions from a specific project would be significant under Threshold “a.”

- Substantiation of Project Reductions from “Business as Usual” (BAU). A lead agency may use a BAU comparison based on the CARB Scoping Plan’s methodology if it also substantiates the reduction a particular project must achieve to comply with statewide goals. The Court suggested a lead agency could examine the “data behind the Scoping Plan’s business-as-usual model” to determine the necessary project level reductions from new land use development at the proposed location;
- Compliance with Regulatory Programs or Performance-based Standards. A lead agency “might assess consistency with AB 32’s goal in whole or part by looking to compliance with regulatory programs designed to reduce greenhouse gas emissions from particular activities,”
- Compliance with GHG Reduction Plans or Climate Action Plans (CAPs). A lead agency may utilize “geographically specific GHG emission reduction plans” such as climate action plans or greenhouse gas emission reduction plans to provide a basis for the tiering or streamlining of project-level CEQA analysis; or
- Compliance with Local Air District Thresholds. A lead agency may rely on “existing numerical thresholds of significance for greenhouse gas emissions” adopted by, for example, local air districts.

The City does not have an adopted threshold of significance for GHG emissions; however, based on the foregoing guidance from the California Supreme Court, the City has elected to rely on compliance with a local air district threshold in the determination of significance of Project-related GHG emissions. Specifically, the City has selected the draft 3,000 MTCO_{2e} per year threshold recommended by SCAQMD staff for residential and commercial sector projects against which to compare Project-related GHG emissions. If Project-related GHG emissions do not exceed the 3,000 MTCO_{2e} per year threshold, then Project-related GHG emissions would clearly have a less-than-significant impact pursuant to Threshold “a.” On the other hand, if Project-related GHG emissions exceed 3,000 MTCO_{2e} per year, the Project would be considered a substantial source of GHG emissions.

It should be noted that the City has not selected to evaluate Project-related GHG emissions against the numerical threshold that SCAQMD adopted for industrial projects for which SCAQMD is the lead agency (i.e., 10,000 MTCO_{2e} per year). The industrial threshold adopted by SCAQMD is a widely accepted threshold used by numerous lead agencies in the SCAB and was established based on the recommendations from CAPCOA contained in a report titled “CEQA and Climate Change” (dated January 2008), which serves as a resource for public agencies as they establish agency procedures for reviewing GHG emissions from projects under CEQA. The CAPCOA report provides three recommendations for evaluating a development project’s GHG emissions. When establishing their significance threshold, SCAQMD selected the CAPCOA non-zero approach which establishes a numerical threshold based on capture of approximately 90 percent of emissions from future development (Approach 2, Threshold 2.5). A 90 percent emission capture rate means that 90



percent of total emissions from all new or modified projects would be subject to evaluation under CEQA. Based on SCAQMD’s research of 1,297 major, industrial source point (i.e., stationary) emission sources in the SCAB, SCAQMD found that source point industrial facilities that generate at least 10,000 MTCO_{2e} per year produce approximately 90 percent of the carbon dioxide equivalent emissions in the SCAB per year. As such, SCAQMD established their significance criterion at 10,000 MTCO_{2e} as that threshold would capture 90 percent of total emissions from future industrial development in accordance with CAPCOA recommendations. (CAPCOA, 2008, pp. 46-47; SCAQMD, 2008, pp. 3-5)¹⁵¹⁶ Although the SCAQMD demonstrated that reliance on the numerical significance threshold of 10,000 MTCO_{2e} per year adequately address the potential environmental effects from industrial-source GHG emissions, the City of Rialto selected to rely on a more stringent/protective numerical significance threshold, 3,000 MTCO_{2e} per year, to ensure this EIR provides a conservative analysis of Project-related environmental effects.

4.6.5 IMPACT ANALYSIS

***Threshold “a”:* Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

The annual net Project-related GHG emissions (Project-generated GHG emissions minus GHG emissions from existing development/uses on the Project Site) are summarized in Table 4.6-4, *Project Annual GHG Emissions*. As shown in Table 4.6-4, implementation of the Project would generate a net total of approximately 14,903.75 MTCO_{2e} per year, which would exceed the significance threshold of 3,000 MTCO_{2e} per year and, thus, is determined to constitute to a potentially significant impact.

Table 4.6-4 Project Annual GHG Emissions

Emission Source	Emissions (MT/yr)			
	CO ₂	CH ₄	N ₂ O	Total CO _{2e}
Annual construction-related emissions amortized over 30 years	73.54	0.01	0.00	74.68
Area Source	0.04	9.00E-05	0.00	0.04
Energy Source	1,178.85	0.08	0.01	1,185.18
Mobile Source	13,633.68	0.49	1.93	14,220.68
TRUs				246.29
On-Site Equipment	101.50	0.03	0.00	102.32
Waste	94.00	5.56	0.00	232.88
Water Usage	304.80	3.73	0.09	425.06
Total CO_{2e} (All Sources)				16,487.13
<i>Existing Emissions</i>				<i>1,583.38</i>
Net Emissions				14,903.75

Source: CalEEMod existing operational source emissions are presented in Appendix 3.3 of *Technical Appendix F*.
Source: (Urban Crossroads, 2022c, Table 3-7)

¹⁵ California Air Pollution Control Officers Association, 2008. *CEQA & Climate Change*. <http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf>

¹⁶ South Coast Air Quality Management District, 2008. *Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans*. [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2)



***Threshold “b”:* Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

The Project would not conflict with applicable regulations, policies, plans, and policy goals that would reduce GHG emissions, including the Title 24 CBSC, AB 32, and SB 32, which are regulations particularly applicable to the Project.

The Project would provide for the construction and operation of a warehouse building that would include contemporary, energy-efficient/energy-conserving design features and operational procedures. Warehouse land uses are not inherently energy intensive and the total Project energy demands would be comparable to, or less than, other goods movement projects of similar scale and configuration due to the Project’s modern construction and requirement to be constructed in accordance with the most recent CBSC (Urban Crossroads, 2022c, pp. 50-51). The CBSC includes the California Energy Code, or Title 24, Part 6 of the California Code of Regulations, also titled The Energy Efficiency Standards for Residential and Nonresidential Buildings. The California Energy Code was established in 1978 in response to a legislative mandate to reduce California’s energy consumption. The standards are updated approximately every three years to improve energy efficiency by allowing incorporating new energy efficiency technologies and methods. The Project would be required to comply with all applicable provisions of the CBSC. As such, the Project’s energy demands would be minimized through design features and operational programs that, in aggregate, would ensure that Project energy efficiencies would comply with – or exceed – incumbent CBSC energy efficiency requirements, thereby minimizing GHG emissions produced from energy consumption.

In April 2015, Governor Edmund Brown Jr. signed EO B-30-15, which advocated for a statewide GHG-reduction target of 40 percent below year 1990 levels by 2030 and 80 percent below 1990 levels by 2050. In September 2016, Governor Brown signed the SB 32. SB 32 formally established a statewide goal to reduce GHG emissions to 40 percent below year 1990 levels by 2030. To date, no statutes or regulations have been adopted to translate the year 2050 GHG reduction goal into comparable, scientifically-based statewide emission reduction targets. CARB prepared the 2017 Scoping Plan Update to identify the measures that would achieve the emissions reductions goals of SB 32 (and, thus, also would achieve the emissions reductions goals of AB 32). Research conducted by the Lawrence Berkeley National Laboratory confirmed that California, under its existing GHG reduction policy framework (i.e., Scoping Plan Update), is on track to meet the years 2020 and 2030 reduction targets established by AB 32 and SB 32, respectively (Urban Crossroads, 2022c, p. 32). As explained in point-by-point detail in Table 3-7 of *Technical Appendix F*, the Project would not conflict with applicable measures of the 2017 Scoping Plan Update and, therefore, would not interfere with the State’s ability to achieve the year GHG-reduction targets established by AB 32 and SB 32 (ibid.).

Rendering a significance determination for year 2050 GHG emissions relative to EO B-30-15 would be speculative because EO B-30-15 establishes a goal more than three decades into the future; no agency with GHG subject matter expertise has adopted regulations to achieve these statewide goals at the project-level; and, available analytical models cannot presently quantify all project-related emissions in those future years. Further, due to the technological shifts anticipated and the unknown parameters of the regulatory framework in 2050, available GHG models and the corresponding technical analyses are subject to limitations for purposes of quantitatively estimating the Project’s emissions in 2050.



As described on the preceding pages, implementation of the Project would not conflict with the State’s ability to achieve the State-wide GHG reduction mandates and would be consistent with applicable policies and plans related to GHG emissions reductions. Implementation of the Project would not actively interfere with any future federally-, State-, or locally-mandated retrofit obligations (such as requirements to use new technologies such as diesel particulate filters, emissions upgrades to a higher tier equipment, etc.) enacted or promulgated to legally require development projects to assist in meeting State-adopted GHG emissions reduction targets, including those established under EO S-3-05, EO B-30-15, or SB 32. Therefore, the Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and would result in a less-than-significant impact.

4.6.6 CUMULATIVE IMPACT ANALYSIS

GCC occurs as the result of global emissions of GHGs. An individual development project does not have the potential to result in direct and significant GCC-related effects in the absence of cumulative sources of GHGs. The CEQA Guidelines emphasize that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA’s requirements for cumulative impacts analysis (See CEQA Guidelines Section 15130[f]). Accordingly, the analysis provided in Subsection 4.6.5 reflects a cumulative impact analysis of the effects related to the Project’s GHG emissions, which concludes that the Project would not conflict with an applicable GHG-reduction plans, policies, or regulations but would generate cumulatively-considerable GHG emissions that may have a significant impact on the environment because the Project would exceed the SCAQMD’s GHG emissions threshold of 3,000 MTCO_{2e} per year.

4.6.7 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold “a:” Significant Cumulatively-Considerable Impact. The Project would exceed the SCAQMD significance threshold of 3,000 MTCO_{2e} per year. As such, the Project would generate substantial, cumulatively-considerable GHG emissions that may have a significant impact on the environment.

Threshold “b:” Less-than-Significant Impact. The Project would be consistent with or otherwise would not conflict with, applicable regulations, policies, plans, and policy goals that would further reduce GHG emissions.

4.6.8 MITIGATION

Refer to MMs 4.2-4 through MM 4.2-9 in EIR Subsection 4.2, *Air Quality*, which would minimize the Project’s GHG emissions in conjunction with reducing the Project’s criteria air pollutant emissions.

4.6.9 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold “a:” Significant Unavoidable Cumulatively-Considerable Impact. The application of MM 4.2-4 through MM 4.2-9 in EIR Subsection 4.2 would reduce Project-related GHG emissions, as set forth in Table 4.6-5. Note, because application of MM 4.2-4 through MM 4.2-9 require certain actions/activities that may vary based on the type or size of business(es) that occupy the Project, Table 4.6-5 does not take credit for any emissions reductions that cannot be precisely quantified at this point in time. These measures would not substantially reduce Project mobile source emissions (i.e., emissions from construction equipment, passenger



Table 4.6-5 Project Annual GHG Emissions

Emission Source	Emissions (MT/yr)			
	CO ₂	CH ₄	N ₂ O	Total CO ₂ e
Annual construction-related emissions amortized over 30 years	73.54	0.01	0.00	74.68
Area Source	0.04	9.00E-05	0.00	0.04
Energy Source	1,178.85	0.08	0.01	1,185.18
Mobile Source	13,633.68	0.49	1.93	14,220.68
TRUs				246.29
On-Site Equipment	101.50	0.03	0.00	102.32
Waste	94.00	5.56	0.00	232.88
Water Usage	304.80	3.73	0.09	425.06
Total CO₂e (All Sources)	16,487.13			
<i>Existing Emissions</i>	<i>1,583.38</i>			
Net Emissions	14,903.75			

Source: CalEEMod existing operational source emissions are presented in Appendix 3.3 of *Technical Appendix F*.

Source: (Urban Crossroads, 2022c, Table 3-7)

cars and trucks), which comprise approximately 87 percent of all Project-related GHG emissions. Mobile source GHG emissions are regulated by State and federal fuel standards and tailpipe emissions standards, and are outside of the control and authority of the City, the Project Applicant, and future Project occupants. CEQA Guidelines Section 15091 provides that mitigation measures must be within the responsibility and jurisdiction of the Lead Agency (i.e., City) in order to be implemented. No other mitigation measures are available that are feasible for the City to enforce that have a proportional nexus to the Project’s level of impact. Accordingly, the City finds that the Project’s GHG emissions are a significant and unavoidable cumulatively-considerable impact for which no feasible mitigation is available.



4.7 HAZARDS & HAZARDOUS MATERIALS

The information and analysis presented in this Subsection is based in part on four technical studies that were prepared to determine the presence or absence of hazardous materials on the Project Site under existing conditions: 1) a Phase I Environmental Site Assessment (ESA) prepared by Avocet Environmental, Inc. (hereinafter “Avocet”) (Avocet, 2019)¹; 2) a Phase I ESA prepared by Waterstone Environmental, Inc. (hereinafter “Waterstone”) (Waterstone, 2020a)²; 3) a Phase II ESA prepared by Waterstone (Waterstone, 2020b)³; 4) an asbestos and lead assessment report prepared by Omega Environmental (hereinafter “Omega”) (Omega, 2021)⁴; and 5) a soil vapor sampling study prepared by Waterstone (Waterstone, 2021)⁵. These technical reports are included as *Technical Appendices G1 to G5* to this EIR. The study areas of the various site assessments are illustrated on Figure 4.7-1. This Subsection also relies on information from the City General Plan (Rialto, 2010a); the City General Plan EIR (Rialto, 2010b); California Department of Forestry and Fire Protection (Cal Fire) – Fire Hazard Severity Zone Map (CalFire, 2020)⁶; and Google Earth (Google Earth, 2021). All references used in this Subsection are listed in EIR Section 7.0, *References*.

In this EIR, the term “toxic substance” is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may present an unreasonable risk of injury to human health or the environment. Toxic substances include chemical, biological, flammable, explosive, and radioactive substances.

In this EIR, the term “hazardous material” is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may: 1) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed of, or otherwise mismanaged; or 2) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating illness.

Hazardous waste is defined in the California Code of Regulations, Title 22, Section 66261.3. The defining characteristics of hazardous waste are: ignitability (oxidizers, compressed gases, and extremely flammable liquids and solids), corrosivity (strong acids and bases), reactivity (explosives or generates toxic fumes when exposed to air or water), and toxicity (materials listed by the U.S. Environmental Protection Agency [EPA] as capable of inducing systemic damage to humans or animals). Certain wastes are called “Listed Wastes” and are found in the California Code of Regulations, Title 22, Sections 66261.30 through 66261.35. Wastes appear on the lists because of their known hazardous nature or because the processes that generate them are known to produce hazardous wastes (which are often complex mixtures).

¹ Avocet Environmental, Inc., 2019. *Phase I Environmental Site Assessment NWC W. Valley Boulevard & S. Willow Avenue Rialto, California 92376*. December 13, 2019.

² Waterstone Environmental, 2020. *Phase I Environmental Assessment Report Subject Property Located at 1434 South Willow Avenue Rialto, California 92316*. September 17, 2020.

³ Waterstone Environmental, 2020. *Results of Phase II Investigation Activities at 350 W. Valley Boulevard and 1444 S. Willow Avenue in Rialto, California*. July 28, 2020.

⁴ Omega Environmental, 2021. *Pre-Demolition Asbestos and Lead Assessment Report 350 W. Valley Boulevard and 1434 S. Willow Rialto, California 92376*. October 18, 2021.

⁵ Waterstone Environmental, 2021. *Soil Vapor Sampling at 350 W. Valley Boulevard and 1444 S. Willow Avenue in Rialto, California*. July 13, 2021.

⁶ California Department of Forestry and Fire Protection, 2020. *FHSZ Viewer*. <https://egis.fire.ca.gov/FHSZ/>.



4.7.1 EXISTING CONDITIONS

Under existing conditions, the entire Project Site is developed/disturbed and used for the outdoor storage of trailers, construction equipment, and construction materials. The Project Site also contains several structures and outbuildings used for storage and offices for the businesses operating on-site, including vehicle repair activities. A man-made storm channel abuts a portion of the Project Site to the north and two public streets, Valley Boulevard and Willow Avenue, abut the Project Site on the south and east, respectively.

The Project Site is comprised of four parcels. For the remainder of this Subsection, the individual parcels on the Project Site will be identified by their street address for ease of reference: APN 0132-181-01 comprises 350 West Valley Boulevard, APNs 0132-201-03 and 025-4261-17 comprise 1444 South Willow Avenue, and APN 0254-261-14 comprises 1434 South Willow Avenue (also see Figure 4.7-1).

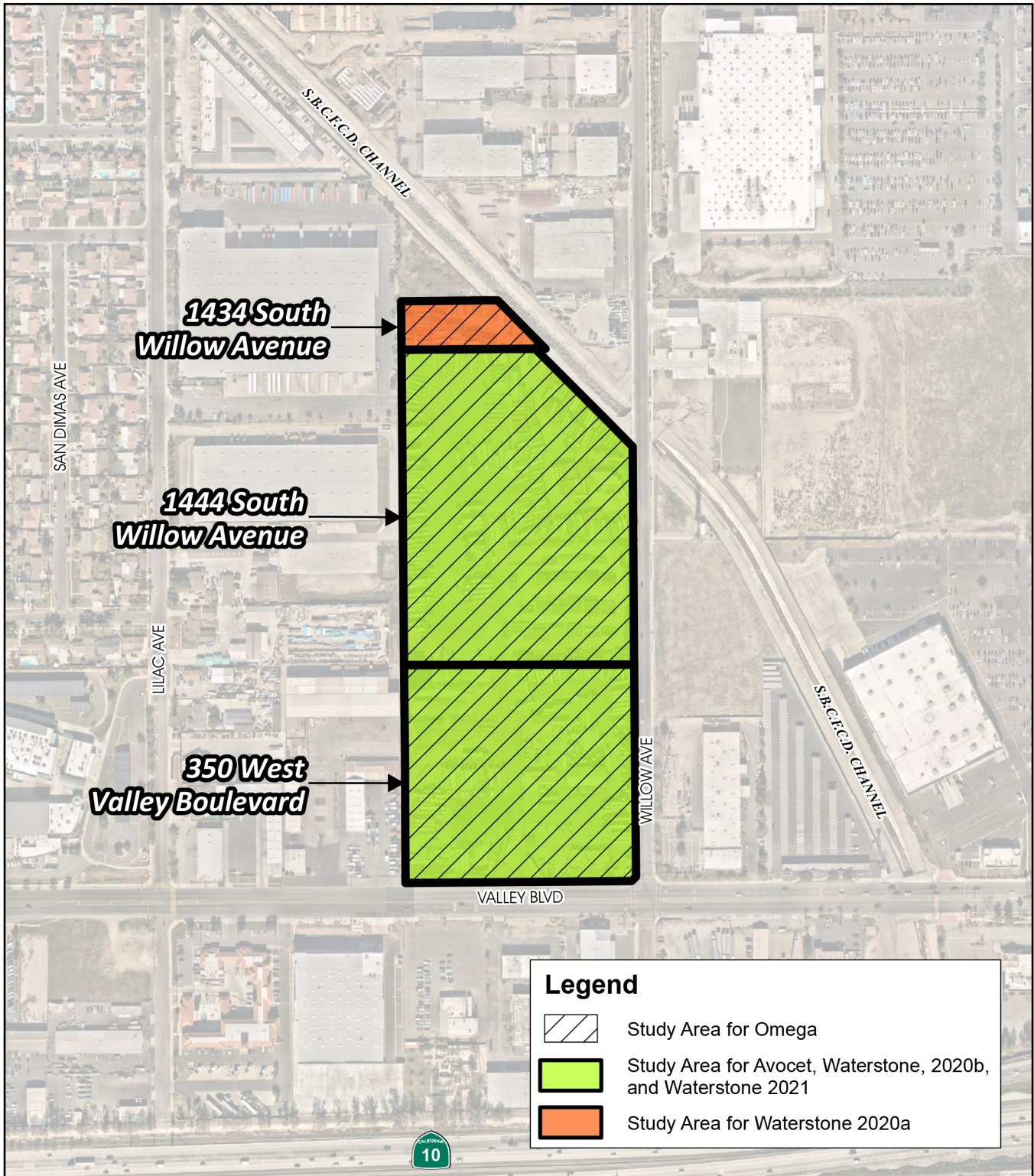
A Historical Review, Regulatory Records Review, and Field Reconnaissance

1. Historical Review

Avocet and Waterstone reviewed various sources of information to determine the historical use of the Project Site and surrounding areas, including historical aerial photographs, historical topographic maps, Environmental Data Resources (EDR) collection of regulatory database records, city directories, historical site occupants, and historical site ownership records. Refer to *Technical Appendices H1 and H2* of this EIR for a more detailed description of Avocet and Waterstone's research results.

The northern portion of the Project Site consisted of agricultural land (citrus orchards) and a small farmhouse from at least 1938 to 1953 (Avocet, 2019, p. 11; Waterstone, 2020a, p. 13). The remainder of the Site was either fallow or planted with a ground crop (ibid.). In 1949, the southeast corner of the Project Site was used as a contractor's yard, which contained storage buildings, temporary/modular structures, and materials storage and equipment parking areas by Matich, a construction and road-paving company (Avocet, 2019, p. 12). By 1959, the citrus orchards in the northern portion of the Project Site were removed, and Matich operations expanded to occupy the entire southern half of the Site with trailer tractors, dump trucks, earthmoving equipment, an office building, mechanical shop, and tire repair shop (Avocet, 2019, p. 12; Waterstone, 2020a, p. 13). By 1968, Matich occupied all but the northernmost portion of the Project Site (1434 South Willow Avenue), and built all of the buildings at 350 West Valley Boulevard and 1444 South Willow Avenue that remain on the Site today as well as one building at the center of the property that has since been removed (ibid).

Matich vacated the Project Site in or around 1980 and, since then, the former Matich property has been occupied by a variety of transportation and equipment rental companies, many of which also conducted truck and equipment maintenance. In 1985, the southern portion of the Site was occupied by FAT Equipment Rentals, Inc (FAT) and appeared to be largely inactive (Avocet, 2019, p. 15). The northern portion of the Site was occupied by GE Capital Modular Space (GELCO) and contained numerous mobile office buildings (ibid). By 2005, the northern portion of the Site and the southeast corner of the Site were occupied by Bennett Truck Transport (Bennett), which contained three modular office buildings and several trailers. The middle of the Site was being used for storage, and the southern portion of the Site was occupied with numerous trailers parked around the perimeter (Avocet, 2019, pp. 15-16).



Source(s): ESRI, Nearmap Imagery (2021), SB County (2020)

Figure 4.7-1



Site Assessment Study Areas



At some stage in the Project Site’s history, at least 9, probably 11, and possibly 13 underground storage tanks (USTs) were installed at 350 West Valley Boulevard, although it is not clear when or by whom (Avocet, 2019, p. ES-2). Moreover, information regarding the locations, contents, and capacities of the USTs is sparse or nonexistent, although most are believed to have been used to store diesel fuel and waste oil, which is consistent with the types of business known to have occupied the site (ibid). There are references, however, to at least one UST being used to store gasoline and at least one UST being used to store an unspecified solvent (ibid). Nine USTs were permanently closed by removal in 1993 with oversight by the San Bernardino County Environmental Health Services Department (SBCoEHS) (ibid). SBCoEHS issued a “no further action” (NFA) letter for USTs at 350 West Valley Boulevard and a job card from SBCoEHS confirms the closure was for all 9 of the removed USTs (ibid). Two fuel USTs believed to have been installed by Matich are not among the nine removed in 1993, meaning they were removed without regulatory agency oversight or are still present at 350 West Valley Boulevard (ibid). Based on the partial records available, possibly two additional USTs may also have been removed without regulatory agency oversight or are still present (ibid).

As discussed in Subsection 4.7.4.A(2), two geophysical subsurface surveys and ground-penetrating radar surveys were conducted in an attempt to locate any USTs that may remain on the Project Site (Waterstone, 2020b, p. 4). The surveys were limited to an approximately 5,000 s.f. area on the southeast portion of the 350 West Valley Boulevard property, where USTs were known to have been installed but no records of removal were found (Waterstone, 2020b, Attachment A, p. 3). No evidence of USTs was found during the geophysical subsurface surveys or the ground-penetrating radar surveys and it is unlikely that USTs are present in these areas (ibid.).

The 1434 South Willow Avenue parcel appears to have been used for agriculture up to 1953 and, primarily, for residential uses from 1959 (Waterstone, 2020a, pp. 13-14). Beginning in 1985, portions of 1434 South Willow Avenue were used for storage and small structures (e.g., storage sheds) have been added and removed from the property since that time (Waterstone, 2020a, pp. 14-15). The property has been occupied by GTS LLC and utilized for truck parking since at least 2015 (Waterstone, 2020a, p. 18).

2. Regulatory Records Review

Avocet and Waterstone researched federal, State, and local environmental records databases to identify properties within one mile of the Project Site with reported environmental issues. A summary of the research results is provided below; a detailed description of the environmental record review results is included in *Technical Appendices H1 and H2* of this EIR.

The Project Site address of 350 West Valley Boulevard is listed on seven environmental records databases for generation of hazardous waste from on-site business operations and USTs installed at this address, including: CA HAZNET, CA SWEEPS UST, TX. IND. HAZ WASTE, SAN BERNARDINO COUNTY PERMIT, CERS HAZ WASTE, RCRA NONGEN/NLR, and FINDS ECHO (Avocet, 2019, p. 27). No spill or release was indicated in the report (ibid.). The Project Site address at 1434 South Willow Avenue is listed on one environmental records database – HWTS – for hazardous waste tracking but there are no records of hazardous waste generated at the Project Site (Waterstone, 2020a, pp. 10, 23).

Properties to the north, south, east, and west of the Project Site are included on environmental records databases due to the use and storage of hazardous materials on these properties (Avocet, 2019, pp. 27-30). A detailed



description of the environmental record review results is included in *Technical Appendix H1*. Avocet reviewed the environmental records listings for these properties, including documentation related to completed remediation activities, and determined that the historic use and storage of hazardous materials on properties abutting the Project Site were unlikely to affect the soil and groundwater conditions at the Project Site (ibid.).

3. Field Reconnaissance

Avocet conducted an inspection on the portions Project Site attributed with the 350 West Valley Boulevard and 1444 South Willow Avenue addresses on November 19, 2019. Waterstone conducted an inspection for the property at 1434 South Willow Avenue on July 9, 2020.

During the 2019 site inspection, Avocet generally observed the 350 West Valley Boulevard and 1444 South Willow Avenue properties being used for the outdoor storage of trailers, construction equipment, and construction materials by at least four tenants, each in its own area (Avocet, 2019, p. ES-2). Freight-Tex Inc. (Freight-Tex), a trucking company, occupied the southeast corner of 350 West Valley Boulevard, but shares part of its space with Commercial Protective Services, Inc., a security company (ibid). The northern portion of 350 West Valley Boulevard was occupied by Rig Runner, a transportation and logistics company, which primarily uses the site as an outdoor storage yard (ibid). 1444 South Willow Avenue was occupied by Bennett, another transportation company that specializes in moving modular residential and office buildings (ibid).

Avocet observed the following at the area occupied by Freight-Tex: two office buildings; a mechanical shop with an oil-stained floor and several 55-gallon drums of waste oil and other automotive fluids; a storage building with forklifts, truck tires, wooden pallets, an old refrigerator, an old air compressor, and several empty 55-gallon drums; a tire repair building; and an approximately 200 s.f. building for steam cleaning, which contains a sump/clarifier (Avocet, 2019, pp. 17-19, 33).

Avocet observed the following at the area occupied by Rig Runner: parked trucks and trailers, flatbed trailers, empty tanker trucks, a security trailer, empty 4,000- and 6,000-gallon above-ground storage tanks (ASTs), shipping containers, steel pipe stock, oil drilling pipe, automobiles, stacks of tires, drive shafts for solar energy installations, a junk pile consisting of wooden pallets, empty 5-gallon pails, loose tires, trash, a 55-gallon steel drum that had leaked oil, and a portable AST filled with diesel fuel (Avocet, 2019, p. 19). Avocet also observed oil staining; however, the stains were considered *de minimis* with the possible exception of where the 55-gallon drum had leaked oil (Avocet, 2019, p. 20).

Avocet observed the following at the area occupied by Bennett: modular office structures, several recreational vehicles (RVs) in various stages of repair, a sanitary sewer cleanout port, and a variety of residential and commercial structures used for general storage, shipping containers, storage racks and equipment, and tires (Avocet, 2019, p. 20). Avocet also observed oil staining, which was considered *de minimis* (ibid).

According to Waterstone, the existing residence and structures at the 1434 South Willow Avenue property are used as business offices and storage for GTS LLC (Waterstone, 2020a, p. 18). Waterstone identified a septic tank and pole-mounted transformers at the 1434 South Willow Avenue property (Waterstone, 2020a, pp. 18-19). The use of PCBs was regulated in 1977 (ibid.).



Omega surveyed the existing structures on the 350 West Valley Boulevard, 1444 South Willow Avenue, and 1434 South Willow Avenue properties for the presence of asbestos containing materials (ACMs) and lead-based paint (LBP). The survey found approximately 20,000 s.f. of ACMs on the Project Site, including flooring, vinyl tile, resins/adhesives, and stucco (Omega, 2021, pp. 1-2). The survey also found approximately 68,300 s.f. of surfaces painted with lead-based paint (Omega, 2021, p. 3).

No surface water was observed on the Project Site and, based on available data, groundwater is expected to occur at depths of more than 200 feet below the ground surface at the Site (Avocet, 2019, p. 9; Waterstone, 2020a, p. 9). Several contaminated groundwater plumes are present within the Chino and Colton-Rialto groundwater basins; however, none of these plumes underlie the Project Site (Avocet, 2019, p. 9).

B Airport Hazards

The Project Site is located approximately 4.0 miles southeast of the former Rialto Municipal Airport. There are no other active airports in proximity to the Project Site.

C Wildland Fire Hazards

The Project Site is located in a portion of the City of Rialto that is not located adjacent to any wildlands. According to the Rialto General Plan, the Project Site and its surrounding area are not located within a “very high fire risk” area (Rialto, 2010a, Exhibit 5.3). According to the California Department of Forestry and Fire Protection (Cal Fire), the Project Site is not located within a very high fire hazard severity zone (CalFire, 2020).

4.7.2 REGULATORY SETTING

Hazardous materials and hazardous wastes are regulated by various federal, State, and local regulations to protect public health and the environment. The following is a brief description of the federal, State, and local environmental laws and related regulations governing issues related to hazards and hazardous materials.

A Federal Plans, Policies, and Regulations

1. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Superfund Amendments and Reauthorization (SARA)

The Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or Superfund, provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment (EPA, 2021e)⁷. Through CERCLA, the U.S. EPA was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup. U.S. EPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, U.S. EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. U.S. EPA also recovers costs from financially viable individuals and companies once a response action has been completed.

⁷ Environmental Protection Agency, 2020. *Summary of the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)*. <https://www.epa.gov/laws-regulations/summary-comprehensive-environmental-response-compensation-and-liability-act>.



U.S. EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies.

The Superfund Amendments and Reauthorization Act (SARA) reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA).

2. *Resource Conservation and Recovery Act (RCRA)*

The Resource Conservation and Recovery Act (RCRA) gives U.S. EPA the authority to control hazardous waste from the "cradle-to-grave" (EPA, 2020f)⁸. This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

3. *Hazardous Materials Transportation Act (HMTA)*

The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property" (OSHA, n.d.)⁹.

Hazardous materials regulations are subdivided by function into four basic areas:

- Procedures and/or Policies 49 Code of Federal Regulations (CFR) Parts 101, 106, and 107
- Material Designations 49 CFR Part 172
- Packaging Requirements 49 CFR Parts 173, 178, 179, and 180
- Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177

The HMTA is enforced by use of compliance orders (49 United States Code [U.S.C.] 1808(a)), civil penalties (49 U.S.C. 1809[b]), and injunctive relief (49 U.S.C. 1810). The HMTA (Section 112, 40 U.S.C. 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement.

⁸ Environmental Protection Agency, 2020. *Summary of the Resource Conservation and Recovery Act*. <https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act>.

⁹ Occupational Safety and Health Administration, n.d. *Trucking Industry*. <https://www.osha.gov/trucking-industry>.



4. Hazardous Materials Transportation Uniform Safety Act of 1990

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce (OSHA, n.d.). The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property.

The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials.

5. Occupational Safety and Health Act (OSHA)

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions (EPA, 2019)¹⁰.

In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states.

6. Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures (EPA, 2020g)¹¹. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

Various sections of TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern.

¹⁰ Environmental Protection Agency, 2019. *Summary of the Occupational Safety and Health Act*. <https://www.epa.gov/laws-regulations/summary-occupational-safety-and-health-act/>.

¹¹ Environmental Protection Agency, 2020. *Summary of the Toxic Substances Control Act*. <https://www.epa.gov/laws-regulations/summary-toxic-substances-control-act>.



- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all TSCA(b) Section 8(e) submissions as well as voluntary "For Your Information" (FYI) submissions. The latter are not required by law, but are submitted by industry and public interest groups for a variety of reasons.

B State Plans, Policies, and Regulations

1. Cal/OSHA and the California State Plan

Under an agreement with OSHA, since 1973 California has operated an occupational safety and health program in accordance with Section 18 of the federal OSHA. The State of California's Department of Industrial Relations administers the California Occupational Safety and Health Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSH) is the principal agency that oversees plan enforcement and consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State safety and health standards, and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace.

Pursuant to 29 CFR 1952.172, the California State Plan applies to all public and private sector places of employment in the State, with the exception of federal employees, the United States Postal Service, private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusively under federal jurisdiction and employers that require federal security clearances. Cal/OSHA is the only agency in the State authorized to adopt, amend, or repeal occupational safety and health standards or orders. The Cal/OSHA enforcement unit conducts inspections of California workplaces in response to a report of an industrial accident, a complaint about an occupational safety and health hazard, or as part of an inspection program targeting industries with high rates of occupational hazards, fatalities, injuries, or illnesses.

2. California Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) (HSC, Division 20, Chapter 6.5, Article 2, Section 25100, *et seq.*) is the primary hazardous waste statute in California. The HWCL implements RCRA as a "cradle-to-grave" waste management system in the State. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reuse as raw materials. The HWCL exceeds federal



requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates a number of waste types and waste management activities not covered by federal law (RCRA).

3. California Code of Regulations (CCR), Title 5, 17, 22 and 26

A variety of California Code of Regulation (CCR) titles address regulations and requirements related to hazardous materials and hazardous waste. Title 5 contains the California Plumbing Code which, in Appendix H, establishes detailed standards for the capping, removal, fill, and disposal of cesspools, septic tanks, and seepage pits (see H 1101.0). CCR Title 17, Division 1, Chapter 8, defines and regulates handling and disposal of lead-based paint. Any detectable amount of lead is regulated. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully-authorized state according to RCRA, most regulations (i.e., 40 CFR 260, *et seq.*) have been duplicated and integrated into Title 22. However, because the DTSC regulates hazardous waste more stringently than the EPA, the integration of State and federal hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 CFR 260. As with the HSC, Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics). However, the hazardous waste regulations are still commonly referred to collectively as “Title 22.”

4. Safe Drinking Water and Toxic Enforcement Act

Proposition 65, officially known as the Safe Drinking Water and Toxic Enforcement Act of 1986 (Health and Safety Code, Division 20, Chapter 6.6, Section 25249.5, *et seq.*), protects the state’s drinking water sources from being contaminated with chemicals known to cause cancer, birth defects, or other reproductive harm, and requires businesses to inform Californians about exposures to such chemicals. Proposition 65 requires the state to maintain and update a list of chemicals known to the state to cause cancer or reproductive toxicity.

5. California Water Code

The California Water Code is the principal state law regulating water quality in California. Water quality provisions must be complied with as contained in numerous code sections including: 1) the Health and Safety Code for the protection of ground and surface waters from hazardous waste and other toxic substances; 2) the Fish and Game Code for the prevention of unauthorized diversions of any surface water and discharge of any substance that may be deleterious to fish, plant, animal, or bird life; 3) the Harbors and Navigation Code for the prevention of the unauthorized discharge of waste from vessels into surface waters; and 4) the Food and Agriculture Code for the protection of groundwater which may be used for drinking water supplies. The California Department of Fish and Wildlife (CDFW), through provisions of the Fish & Game Code (§§ 1601 - 1603) is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by CDFW.

Surface water quality is the responsibility of the Regional Water Quality Control Board (RWQCB), water supply and wastewater treatment agencies, and city and county governments. The principal means of enforcement by the RWQCB is through the development, adoption, and issuance of water discharge permits.



RWQCB basin plans establish water quality objectives that are defined as the limits or levels of water quality constituents or characteristics for the reasonable protection of beneficial uses of water.

6. *Unified Hazardous Waste and Hazardous Materials Management Regulatory Program*

California's Unified Program, overseen but the California Environmental Protection Agency (CalEPA), protect Californians from hazardous waste and hazardous materials by ensuring local regulatory agencies consistently apply statewide standards when they issue permits, conduct inspections, and engage in enforcement activities. The Unified Program is a consolidation of multiple environmental and emergency management programs, including the following:

- Aboveground Petroleum Storage Act (APSA) Program;
- Area Plans for Hazardous Materials Emergencies;
- California Accidental Release Prevention (CalARP) Program;
- Hazardous Materials Release Response Plans and Inventories (Business Plans);
- Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statements (HMIS) (California Code)
- Hazardous Waste Generator and Onsite Hazardous Waste Treatment (tiered permitting) Programs; and
- Underground Storage Tank Program.

State agency partners involved in the implementation of the Unified Program are responsible for setting program element standards, working with CalEPA to ensure program consistency, and providing technical assistance to the California Unified Program Agencies (CUPAs) and Program Agencies (PAs). The state agencies involved with the Unified Program include CalEPA, Department of Toxic Substances Control (DTSC), the Governor's Office of Emergency Services (Cal OES), CAL FIRE – Office of the State Fire Marshall (CAL FIRE-OSFM), and the State Water Resources Control Board.

7. *License to Transport Hazardous Materials*

Caltrans regulates hazardous materials transportation on all interstate roads (California Vehicle Code, Section 32000.5, et seq). Within California, the State agencies with primary responsibility for enforcing federal and State regulations and for responding to transportation emergencies are the California Highway Patrol and Caltrans. Together, federal and State agencies determine driver-training requirements, load labeling procedures, and container specifications for vehicles transporting hazardous materials.

8. *California Hazardous Materials Release Response Plan and Inventory Law of 1985*

The Business Plan Act requires preparation of Hazardous Materials Business Plans and disclosure of hazardous materials inventories, including an inventory of hazardous materials handled, plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee training in safety and emergency response procedures for businesses that handle, store, or transport hazardous materials in amounts exceeding specified minimums (California Health and Safety Code, Division 20, Chapter 6.95, Article 1). Statewide, DTSC has primary regulatory responsibility for management of hazardous materials, with



delegation of authority to local jurisdictions that enter into agreements with the State. Local agencies are responsible for administering these regulations.

Several state agencies regulate the transportation and use of hazardous materials to minimize potential risks to public health and safety, including CalEPA and the California Emergency Management Agency. The California Highway Patrol and California Department of Transportation (Caltrans) enforce regulations specifically related to the transport of hazardous materials. Together, these agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roadways.

9. California Government Code (CGC) Section 51178

This section specifies that the Director of CalFire, in cooperation with local fire authorities, shall identify areas that are Very High Fire Hazard Severity Zones (VHFHSZ) in Local Responsibility Areas (LRAs), based on consistent statewide criteria, and the expected severity of fire hazard. Per CGC Section 51178, a local agency may, at its discretion, exclude from the requirements of Section 51182 an area within its jurisdiction that has been identified as a VHFHSZ, if it provides substantial evidence in the record that the requirements of Section 51182 are not necessary for effective fire protection within the area. Alternatively, local agencies may include areas not identified as VHFHSZ by CalFire, following a finding supported by substantial evidence in the record that the requirements of Section 51182 are necessary for effective fire protection within the new area. According to Section 51182, such changes made by a local agency shall be final, and shall not be rebuttable by CalFire.

C Local Plans, Policies, and Regulations

1. Local Permitting Requirements

The aforementioned federal and State hazardous materials regulations require all businesses that handle more than a specified amount of hazardous materials or extremely hazardous materials to obtain a hazardous materials permit and submit a business plan to its local Certified Unified Program Agency (CUPA). The CUPA also ensures local compliance with all applicable hazardous materials regulations. The CUPA is the San Bernardino County Fire Department, Hazardous Materials Division. The San Bernardino County Fire Department, Hazardous Materials Division also manages the following hazardous waste programs: 1) Hazardous Materials Release Response Plans and Inventory; 2) California Accidental Release Program; 3) Underground Storage Tanks; 4) Aboveground Petroleum Storage Act/Spill Prevention, Control, and Countermeasure Plan; 5) Hazardous Waste Generation and Onsite Treatment; and 6) Hazardous Materials Management Plans and Inventory.

2. Rialto General Plan

The “Safety and Noise” chapter of the City’s General Plan identifies potential sources of hazards to the community – such as uncontrollable natural hazards and hazardous materials use and other human-caused conditions – and establishes a policy framework to minimize the adverse effects of these hazards and assist the City’s emergency response. The General Plan neither identifies the Project Site as a hazardous materials site or as a site subject to fire hazards (refer to General Plan Exhibits 5.3 and 5.4, respectively). In addition, the General Plan does not identify the Project Site as or near an evacuation route or emergency shelter (Rialto, 2010, 5-11).



The General Plan does establish a series of policies to minimize the generation of hazardous wastes within the City and to protect the City’s health and welfare through the responsible management of hazardous materials and wastes. Of the policies established by the General Plan, only Policy 5.4-4 is applicable to the Project and/or Project Site. General Plan Policy 5.4-4 requires “[A]ll hazardous waste generators and hazardous materials handlers to report to City officials, including the Fire Department any equipment malfunction or upset which may cause hazardous waste to be emitted.”

3. SQAQMD Rule 1166 - Volatile Organic Compound Emissions from Decontamination of Soil

Rule 1166 establishes required procedures for the excavation, grading, handling, and treating of soils contaminated with VOCs as a result of leakage from storage or transfer operations, accidental spillage, or other deposition (SCAQMD, 2011).¹² The purpose of Rule 1166 is to control the emission of VOCs during the removal of contaminated soils.

4. SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

Rule 1403 requires the implementation of specific work practices to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM) (SCAQMD, 2007)¹³. The requirements for demolition and renovation activities include asbestos surveying, notification, ACM removal procedures and time schedules, ACM handling and clean-up procedures, and storage, disposal, and landfilling requirements for asbestos-containing waste materials (ACWM) (ibid.).

4.7.3 METHODOLOGY FOR EVALUATING HAZARDS & HAZARDOUS MATERIALS IMPACTS

The analysis of potential hazards and hazardous materials-related impacts is based upon hazardous materials investigations prepared specifically for the Project Site. The investigations included a site reconnaissance, review of published reports, maps, and aerial photographs, field investigations (including the collection of soil samples, soil vapor data, and building materials samples), and laboratory testing. The analysis also included a review of the City’s General Plan, information sources from State and Federal agencies, a review of applicable airport land use plans, hazardous materials mapping, fire hazard mapping, and other resource databases.

4.7.4 BASIS FOR DETERMINING SIGNIFICANCE

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to hazards and hazardous materials that could result from development projects. The Project would result in a significant impact to hazards and hazardous materials if the Project or any Project-related component would:

¹² South Coast Air Quality Management District, 2001. *Rule 1166 Volatile Organic Compound Emissions from Decontamination of Soil*. <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf?sfvrsn=4>

¹³ South Coast Air Quality Management District, 2007. *Rule 1403 Asbestos Emissions From Demolition/Renovation Activities*. <http://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1403.pdf>.



- a. *Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials;*
- b. *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;*
- c. *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;*
- d. *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment;*
- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area;*
- f. *Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan; or*
- g. *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.*

4.7.5 IMPACT ANALYSIS

Threshold “a:” *Would the Project create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?*

Threshold “b:” *Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Implementation of the Project would require demolition and removal of all existing structures, improvements, and solid waste from the Project Site and would result in the construction and long-term operation of a warehouse distribution building on the Site. In the event any hazards or hazardous materials were to be present on the Project Site or any hazardous materials were to be used or stored on the Project Site during construction or long-term operation, the Project would have the potential to expose workers on-site, the public, and/or the environment to a substantial hazard. The analysis below evaluates the potential for the Project to result in a substantial hazard to people or the environment during any stage of the Project.

A Impact Analysis for Existing Site Conditions

Based on information obtained during historical review, regulatory records review, and field reconnaissance – as previously discussion in Subsection 4.7.1 – the Project Site contains several environmental conditions based on historical activities on the Site that have the potential to expose people or the environment to a substantial hazard.



1. Soil Contamination

The Project Site was used for agriculture (i.e., citrus orchards) from at least 1938 until 1953 and there is potential that pesticides were applied to the soils on-site as part of routine agricultural practices. Soil samples were collected from the portion of the Project Site associated with the 350 West Valley Boulevard address in 2020. Soil samples were not collected from the portion of the Project Site associated with the 1434 South Willow Avenue address. The property at 1434 South Willow Avenue was historically planted with the same crops as were planted at 350 West Valley Boulevard and commercial agricultural activities ceased on all portions of the Project Site at approximately the same time; thus, the results of the soil samples from 350 West Valley Boulevard are considered to be representative of the conditions at 1434 South Willow Avenue.

Since the discontinuation of agricultural activities on the Project Site in the early 1950s, gasoline, diesel fuels, and industrial solvents and refrigerants have been used, stored, and, in several instances, spilled (as observed during field reconnaissance and noted in Subsection 4.7.1A) during the course of routine business operations at the Project Site. Soil samples were collected from 19 locations across the Project Site, with the highest concentration of samples taken from the central/south-central portion of the Site where the heaviest industrial activities were concentrated (e.g., vehicle repair/maintenance) and multiple USTs had once been installed. Soil vapor readings were taken at the same locations where the soil samples were collected; three rounds of soil vapor readings were collected: in January 2020, July 2020, and March 2021. The petroleum hydrocarbon-related VOC naphthalene was detected at levels exceeding commercial screening thresholds in one soil sample collected on the southeast portion of the 350 West Valley Boulevard property (identified as location SV-19 by Waterstone) (Waterstone, 2020b, p. 9). In soil vapor, naphthalene and ethylbenzene were detected above commercial screening levels at 30 feet bgs in boring SV-19 (ibid.) However, the observed Project Site conditions and hydrocarbon concentrations at SV-19 will be evaluated under DTSC oversight using State Water Resources Control Board's *Low Threat UST Case Closure Policy*, which allows for the biodegradation of hydrocarbons without the need for mitigation in specified situations where the threat to the public and the environment is low (ibid.). Other hydrocarbon-related volatile organic compounds, such as benzene, were not detected in soil vapor samples collected at SV-19 (Waterstone, 2020b, p. 9).

Tetrachloroethylene (PCE) was detected in multiple soil vapor samples collected across the Project Site. In each of the January 2020, July 2020, and March 2021 sampling periods, no sampling location exceeded commercial screening levels using an attenuation factor of 0.0005 for future construction, per the DTSC-published *Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air*, dated October 2011 (ibid.). In the January and July 2020 sampling events, PCE was detected above commercial screening levels in 14 borings using the draft attenuation factor of 0.03 from the February 2020 document issued by DTSC and the California RWQCBs entitled *Draft Supplemental Guidance: Screening and Evaluating Vapor Intrusion*; however, not a single location exceeded applicable screening thresholds – using either the 0.0005 or 0.03 attenuation factors – in the March 2021 sampling period (Waterstone 2021, pp. 1-2; Waterstone, 2020b, p. 9). Generally, the PCE in soil vapor was comparable between the July 2020 and March 2021 sampling periods (although the March 2021 soil vapor levels were slightly lower) and both the July 2020 and March 2021 levels were substantially lower than the levels observed in January 2020 (ibid.). The variation in the PCE detected in soil vapor on the Project Site across the sampling periods may be due to seasonal variations (winter vs. summer) and/or different sampling and analytical methods used by Avocet for the January 2020 samples (Waterstone, 2020b, p. 9). Based on the relatively low concentrations of PCE detected in soil vapor on the Project Site and the lack of PCE detected in soil samples collected on the Project Site, soil



contamination on the Project Site is not expected to pose a substantial hazard to the environment or people working on the Project Site. Notwithstanding, the Project Applicant has enrolled voluntarily into an oversight agreement with the DTSC for their concurrence that the soil contamination on the Project Site does not represent a substantial hazard to people or the environment. Until the DTSC concurs with this determination, the soil contamination on the Project Site is considered to be a significant impact for which mitigation is required (see to MM 4.7-1).

2. *Underground Storage Tanks*

There is the potential that between two and four USTs remain on the Project Site; however, no evidence of the historical USTs that may remain on the Project Site was identified during investigations on the Site. Two geophysical subsurface surveys and ground-penetrating radar surveys were conducted in an attempt to locate any USTs that may remain on the Project Site (Waterstone, 2020b, p. 4). The surveys were limited to an approximately 5,000 s.f. area on the southeast portion of the 350 West Valley Boulevard property, where USTs were known to have been installed but no records of removal were found (Waterstone, 2020b, Attachment A, p. 3). No evidence of USTs was found during the geophysical subsurface survey and the ground-penetrating radar survey and it is unlikely that USTs are present in these areas (ibid.). Regardless, if any USTs are found during Project construction, the Project's construction contractor would be required to remove, handle, and dispose the UST under the oversight of the San Bernardino County Fire Department, Hazardous Materials Division and in accordance with its requirements/regulations (as discussed under 4.7.2C1). Accordingly, with mandatory compliance with the County Hazardous Materials Division requirements that will ensure proper and safe treatment and disposal of any discovered USTs, implementation of the Project would not expose the public or the environment to significant hazards associated with the removal and disposal of a UST if found on the Project Site; impacts would be less than significant.

3. *Clarifier System*

A small structure on the southeast portion of the 350 West Valley Boulevard property was historically used for steam cleaning. This area features a clarifier system, comprised of a concrete slab with covered trench drains that flow to a subsurface clarifier or interceptor before discharging to the sanitary sewer system (Avocet, 2019, p. 32). The subsurface conditions beneath and around the clarifier, wash slab, and trench drains could not be assessed because of the overlying concrete slab and it is possible that hazardous conditions or materials requiring special handling could be found during demolition of the clarifier system. No impacts to soil or soil vapor were identified in boring SV-9 collected by Avocet adjacent to the clarifier system, with the exception of PCE in soil vapor, which was identified in January 2020 at a concentration which exceeds the draft 0.03 attenuation factor screening level but is below the 0.0005 attenuation factor screening level (Waterstone 2021, pp. 1-2; Waterstone, 2020b, p. 9). During Project demolition, the Project's construction contractor would be required to inspect, remove, and dispose of the clarifier under the oversight of the San Bernardino County Fire Department, Hazardous Materials Division and in accordance with its requirements/regulations. Accordingly, with mandatory compliance with the County Hazardous Materials Division requirements that will ensure proper and safe treatment and disposal of any environmental issues identified in association with the clarifier, implementation of the Project would not expose the public or the environment to significant hazards associated with the removal and assessment of the clarifier on the Project Site; impacts would be less than significant.



4. Maintenance and Storage Areas

The Project Site contains several areas – including an existing mechanical shop and tire repair shop on the southeast portion of the 350 West Valley Boulevard property that both contain subfloor inspection trenches and grease pits where vehicles and equipment were repaired and maintained using hazardous materials (such as oils, lubricants, coolants, and solvents) (Avocet, 2019, p. 33). The floor and grease pits of the mechanical shop were noted particularly to be stained with oil, although there was no indication that soils beneath the floor and grease pits had been contaminated (ibid.). Avocet additionally identified vehicle repair activities at the modular trailers at the northeast corner of the 1444 South Willow Avenue property; however, it appears that this area was used for storage of materials and not actively used for vehicle repair (ibid.). The Project Site also contains several areas where hazardous materials (such as gasoline and motor oil) have been stored in 55-gallon drums and ASTs (ibid.). Minor soil staining was observed across the Site, although none appeared to be substantial or pose a hazard to people or the environment (ibid.). Additionally, shallow soil sampling conducted across the Project Site by Avocet did not identify any impacts to soil from releases at the surface. During Project demolition, the County Hazardous Materials Division would require the Project’s construction contractor to prepare a construction soils management plan that requires the contractor to: assess any potentially contaminated soil; and sample, remove, and dispose of any impacted soil under agency oversight and in accordance with its requirements/regulations. Accordingly, with mandatory compliance with the County Hazardous Materials Division requirements that will ensure proper and safe treatment and disposal of any environmental issues identified during grading activities, implementation of the Project would not expose the public or the environment to significant hazards associated with the maintenance and storage areas on the Project Site; impacts would be less than significant.

5. Building Materials

The use of ACMs (a known carcinogen) and lead paint (a known toxin) was common in building construction prior to 1978. Because the 350 West Valley Boulevard and 1434 South Willow Avenue properties contains structures known to be constructed before 1978, ACMs and surfaces covered with lead paint are present on the Project Site.

Asbestos is a carcinogen and is categorized as a hazardous air pollutant by the federal EPA. Federal asbestos requirements are found in National Emission Standards for Hazardous Air Pollutants (NESHAP) within the CFR Title 40, Part 61, Subpart M, and are enforced in the Project area by the SCAQMD via Rule 1403. Rule 1403 establishes survey requirements, notification, and work practice requirements to prevent asbestos emissions from emanating during building renovation and demolition activities. Because ACMs are present in the existing construction debris and/or structures located on the property, then Rule 1403 requires notification of the SCAQMD prior to commencing any demolition or renovation activities. Rule 1403 also sets forth specific procedures for the removal of asbestos, and requires that an on-site representative trained in the requirements of Rule 1403 be present during the stripping, removing, handling, or disturbing of ACM. Mandatory compliance with the provisions of Rule 1403 would ensure that construction-related grading, clearing and demolition activities do not expose construction workers or nearby sensitive receptors to significant health risks associated with ACMs. Because the Project’s demolition and construction contractors would be required to comply with AQMD Rule 1403 during demolition activities, impacts due to asbestos would be less than significant.



During demolition of the existing buildings on-site, there also is a potential to expose construction workers to health hazards associated with lead-based paint (LBP). The Project’s demolition and construction contractors would be required to comply with CCR Title 17 (Division 1, Chapter 8), which includes requirements such as employer provided training, air monitoring, protective clothing, respirators, and hand washing facilities. Mandatory compliance with the requirements of CCR Title 17 (Division 1, Chapter 8) would ensure that construction workers and the public are not exposed to significant LBP health hazards during demolition and/or during transport of demolition waste to an appropriate disposal facility, and would ensure that impacts related to LBP remain less than significant.

6. On-Site Septic Systems

Waterstone identified one septic tank associated with the residence at 1434 South Willow Avenue. The septic tank found on-site would be required to be removed, handled, and disposed in accordance with all applicable local and State regulations, including but not limited to the CCR Title 5, Appendix H. Accordingly, implementation of the Project would not expose the public or the environment to significant hazards associated with the removal and disposal of the on-site septic tank from the Project Site; impacts related to septic tanks would be less than significant.

B Impact Analysis for Temporary Construction-Related Activities

Heavy equipment (e.g., dozers, excavators, tractors) would be operated on the Project Site during construction. This heavy equipment likely would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which are considered hazardous if improperly stored or handled. In addition, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located on the Project Site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the Project than would occur on any other similar construction site. Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited requirements imposed by the EPA, DTSC, and the Santa Ana RWQCB. With mandatory compliance with applicable hazardous materials regulations, the Project would not create significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase. A less-than-significant impact associated with construction equipment and materials would occur.

C Impact Analysis for Long-Term Operation

The Project Site would be used as a warehouse distribution facility. There is the potential for hazardous materials (e.g., diesel fuel, cleansers, lubricants) to be used during the course of normal daily operations at the Project Site with these types of users. State and federal Community-Right-to-Know laws allow the public access to information about the amounts and types of chemicals that may be used by businesses on the Project Site. Laws also are in place that require businesses to plan and prepare for possible chemical emergencies. Any business that occupies the building on the Project Site and that handles/stores substantial quantities of hazardous materials (as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95) will require a permit from the San Bernardino County Fire Department, Hazardous Materials Division



in order to register the business as a hazardous materials handler. Such businesses also are required to comply with California’s Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the San Bernardino County Fire Department and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and to prepare a Hazardous Materials Business Emergency Plan (HMBEP). An HMBEP is a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of a hazardous material. With mandatory regulatory compliance, potential hazardous materials impacts associated with long-term operation of the Project would be less than significant.

Threshold “c:” Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The Project Site is located approximately 0.13-mile west of Joe Baca Middle School, located at 1640 S. Lilac Avenue (Google Earth, 2021). As described above under the analysis for Thresholds “a” and “b,” the use of and transport of hazardous substances or materials to-and-from the Project Site during construction and long-term operational activities would be required to comply with applicable federal, State, and local regulations that would preclude substantial public safety hazards. Accordingly, there would be no potential for existing or proposed schools to be exposed to substantial safety hazards associated with emission, handling of, or the routine transport of hazardous substances or materials to-and-from the Project Site and impacts would be less than significant.

Although impacts would be less than significant with compliance to applicable federal, State, and local regulations, MM 4.7-4 is specified herein to ensure regulatory compliance, which requires the Project Applicant to provide a HMBEP (if required by law) to the Superintendent’s Office and Facilities Office of the Colton Joint Unified School District as well as the Principal of Joe Baca Middle School. Impacts would remain less than significant.

Refer to EIR Subsection 4.2, *Air Quality*, for analysis pertaining to human health risks associated with air pollutant emissions associated with the Project, including risks to the maximally exposed school child receptors located within a one-quarter mile radius from the Project Site and its primary truck route. As concluded in EIR Subsection 4.2, the Project’s toxic air contaminant emissions (and their associated health risks) would be less than significant.

Threshold “d:” Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?

Government Code Section 65962.5 requires DTSC, the State Department of Health Services, State Water Resources Control Board, and the State Department of Resources Recycling and Recovery to maintain a list of hazardous materials sites that fall within specific, defined categories. Although the Project Site is included on several hazardous materials databases (refer to Subsection 4.7.1A2), none of the databases where the Project



Site fall within the categories regulated by Government Code Section 65962.5 (DTSC, 2021; CalEPA, 2021; Avocet, 2019, pp. 26-29; Waterstone, 2020a, pp. 15-16, 23-25)^{14,15}. Accordingly, no impact would occur.

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

The Project Site is neither located within an airport land use plan for an active airport nor within two miles of an active public/public use airport. No impact would occur.

Threshold “f:” Would the Project impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route. All Project construction materials and equipment would be stored/staged on the Project Site and would not interfere with emergency vehicles traveling along Valley Boulevard or Willow Avenue. Project construction activities would occur within the Valley Boulevard and Willow Avenue public rights-of-way; however, for any work within the right-of-way that requires a partial or full closure of a sidewalk or vehicle travel lane, the construction contractor would be required to implement a traffic control plan that complies with the *California Manual on Uniform Traffic Control Devices* and must be approved by the City of Rialto to ensure that emergency response is not adversely affected. During construction and long-term operation, the proposed Project would be required to maintain adequate emergency access for emergency vehicles. As part of the City’s discretionary review process, the City of Rialto reviewed the Project’s application materials to ensure that appropriate emergency ingress and egress would be available to-and-from the Project Site and that the Project would not substantially impede emergency response times in the local area. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan, and no impact would occur.

Threshold “g:” Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The Project Site is not located within a State Responsibility Area or a very high fire hazard severity zone. Neither Cal Fire nor the City identify the Project Site within an area susceptible to wildland fires and the Project Site and surrounding areas generally consist of commercial, industrial, and/or residential uses, which are generally not associated with wildland fire hazards (Rialto, 2010a, Exhibit 5.3; CalFire, 2020; Google Earth, 2021). Accordingly, the Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impact would occur.

¹⁴ Department of Toxic Substances Control, 2021. *Hazardous Waste and Substances Site List (Cortese)*. <https://www.envirostor.dtsc.ca.gov/public/>.

¹⁵ California Environmental Protection Agency, 2021. *Cortese List: Section 65962.5(c)*. <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5c/>



4.7.6 CUMULATIVE IMPACT ANALYSIS

As discussed above under the responses to Thresholds “a” and “b,” the Project’s construction and operation would be required to comply with all applicable federal, State, and local regulations to ensure proper use, storage, and disposal of hazardous substances. Although the end user(s) of the Project Site are not presently known, if businesses that use or store hazardous materials occupy the Project, the business owners and operators would be required to comply with all applicable federal, state, and local regulations to ensure proper use, storage, and disposal of hazardous substances. Such uses also would be subject to additional review and permitting requirements by the San Bernardino County Fire Department. Similarly, any other developments in the area proposing the construction of uses with the potential for use, storage, or transport of hazardous materials also would be required to comply with applicable federal, State, and local regulations, and such uses would be subject to additional review and permits from their local oversight agency. Although there is on-site contamination present, compliance with mitigation measures would ensure isolation of any impacts to the Project Site and would not have the ability to impact the surrounding area. Therefore, the potential for release of toxic substances or hazardous materials into the environment, either through accidents or due to routine transport, use, or disposal of such materials, would be reduced to a less-than-significant cumulative level. Accordingly, the Project’s potential to contribute to a cumulatively significant hazardous materials impact would be less than significant.

The Project Site is located within one-quarter mile of Joe Baca Middle School. All development Projects and businesses within one-quarter mile of Joe Baca Middle School would be required to comply with applicable federal, State, and local regulations related to the use, storage, and transport of hazardous materials. Compliance with these regulations would ensure the safe handling of hazardous materials, including the appropriate response and clean-up in the event of an accident, to preclude substantial health and safety hazards to students at Joe Baca High School. Potential cumulative impacts to students at Joe Baca Middle School related to the use, handling, and transport of hazardous materials would be less than significant.

The Project Site is not located on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, the Project has no potential to contribute to substantial, cumulative effects related to the development or re-development of listed hazardous materials site.

As discussed above under the response to Threshold “e,” the Project is not located within a noise or safety hazard area for an active airport; therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area and would not contribute to a cumulatively-considerable impact associated with airport hazards.

The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route; thus, there is no potential for the Project to contribute to any cumulative impacts associated with an adopted emergency response plan or emergency evacuation plan.

As discussed above under Threshold “g,” the Project Site is not located within or in close proximity to areas identified as being subject to wildland fire hazards and would have no potential to contribute to adverse, cumulative wildland fire hazards.



4.7.7 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold “a” and “b:” Significant Direct Impact. The Project Site contains soils contaminated with hydrocarbons and volatile organic compounds that, although not expected to pose a substantial risk to the environment or people on the Project Site, could require remediation. Remediation of existing contamination would result in an improved long-term environmental condition at the Project Site.

Threshold “c:” Less-than-Significant Impact. The Project Site is located within one-quarter mile of Joe Baca Middle School; however, the Project would comply with applicable federal, State, and local regulations related to the handling, storage, use, and transport of hazardous materials to ensure that students at Joe Baca Middle School are not exposed to substantial hazardous emissions or acutely hazardous materials, substances, or waste.

Threshold “d:” No Impact. The Project Site is not located on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Threshold “e:” Less-than-Significant Impact. The Project Site is not located within a noise or safety hazard area for the Rialto Municipal Airport. As such, the Project would not result in an airport safety hazard for people residing or working in the Project area.

Threshold “f:” Less-than-Significant Impact. The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, adequate emergency vehicle access is required to be provided. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan.

Threshold “g:” No Impact. The Project Site is not located in close proximity to wildlands or areas with high fire hazards. Thus, the Project would not expose people or structures to a significant wildfire risk.

4.7.8 MITIGATION

The following mitigation measures would address documented soil contamination at the Project Site as well as the potential to uncover additional, previously unknown soil contamination during Project construction.

MM 4.7-1 Prior to the issuance of the first grading or building permit for the 350 West Valley Boulevard property, the Project Applicant shall provide evidence to the City of Rialto that the Department of Toxic Substances Control (DTSC) has issued a “No Further Action” letter (or equivalent) for soils located in the southeast portions of the 350 West Valley Boulevard property where concentrations of hydrocarbons were previously detected in soils, and where PCE was previously detected in soil vapor. In the event that DTSC determines that soil remediation is required, the grading and/or building plans shall incorporate any construction and/or site design features required by the DTSC, which may include utility trench dams, utility conduit seals, sub-slab vents, and sub-slab vapor barriers.

Although Project construction contractors are legally required to comply with applicable federal, State, and local regulations regarding the removal and handling of known hazardous materials, the following mitigation



measure would ensure that appropriate protocols are followed during the removal and disposition of regulated hazardous materials known to exist on the Project Site or having a high probability of being found on the Project Site during Project construction activities.

- MM 4.7-2 Prior to issuance of a grading permit, the City of Rialto shall ensure the note listed in subparagraph “a” below is included on grading plans. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by City of Rialto staff or its designee. These notes shall also be specified in bid documents to prospective construction contractors.
- a. In the event that underground storage tanks (USTs), septic systems, asbestos containing materials (ACMs), or lead based paint (LBP) are found on the Project Site during demolition and/or construction activities, these materials shall be remediated and properly disposed of in accordance with applicable federal, State, and San Bernardino County Fire Department, Hazardous Materials Division requirements.

Although implementation of the Project would result in less-than-significant impacts to nearby schools related to the handling and transport of hazardous materials, the following mitigation measure would ensure regulatory compliance with applicable federal, State, and local regulations addressing hazardous materials and that the Colton Joint Unified School District is informed of business operations at the Project Site that have the potential to pose a hazard to school children.

- MM 4.7-3 Prior to the issuance of any new occupancy permit for a use/user within the Project Site, the use/user shall disclose to the City of Rialto if they will transport and/or store hazardous materials in amounts warranting the preparation of a Hazardous Materials Business Emergency Plan (HMBEP) as required by law. If a HMBEP is required by law, the Project Applicant shall provide a copy of its approved Emergency Response Plan to the Superintendent’s Office and Facilities Office of the Colton Joint Unified School District as well as the Principal of Joe Baca Middle School outlining how the building use/user will prevent or respond to spills or leaks of hazardous materials related to its facility/facilities and use of the Project Site. If so requested, the Project Applicant shall also meet with School District and Fire Department officials to discuss emergency response procedures as contained in the HMBEP for spills or leaks at the Project Site in relation to the nearby school facilities. This measure shall be implemented under the supervision of the City of Rialto’s Planning Division, with input from the Colton Joint Unified School District Superintendent as appropriate. All meetings shall be documented and documentation shall be provided to the City within thirty (30) days of each meeting.

4.7.9 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold “a:” Less-than-Significant Impact with Mitigation. Implementation of MM 4.7-1 through 4.7-2 would ensure that any contaminated soils or other contaminated materials encountered during Project construction that are determined to be hazardous by an applicable government oversight agency are appropriately remediated so that they would not pose a hazard to the public or the environment during construction or in the long-term. As such, implementation of the Project would result in an improved environmental condition by addressing and remediating any existing environmental hazards and ensuring that operations on the Project Site do not contribute to them again in the future. Additionally, implementation of



MM 4.7-3 would ensure that business operations on the Project Site comply with applicable hazardous materials handling, storage, and transport regulations to ensure that nearby schools are exposed to less than significant hazards from hazardous materials/substances. Accordingly, the impacts would be less than significant after the implementation of the mitigation measures.



4.8 HYDROLOGY & WATER QUALITY

Information in this Subsection relies on two technical reports prepared for the Project by Thienes Engineering, Inc. (hereinafter “Thienes”): 1) “Preliminary Hydrology Calculations for Valley Boulevard Industrial Building Valley Blvd. Between Willow Ave. and Lilac Ave. Rialto, California,” dated July 6, 2021 (Thienes, 2021a)¹; and 2) “Water Quality Management Plan (WQMP) for: Valley Boulevard Industrial Building W. Valley Blvd. And S. Willow Ave. Rialto, CA 92316,” dated July 6, 2021 (Thienes, 2021b)². The reports are provided as *Technical Appendices H1 and H2* to this EIR, respectively. All references used in this Subsection are listed in EIR Section 7.0, *References*.

The Project Site is located within Santa Ana River watershed and is under the jurisdiction of the Santa Ana RWQCB. As such, information for this Subsection also was obtained from the Santa Ana RWQCB’s *Santa Ana River Basin Water Quality Control Plan* (updated June 2019) and the *Integrated Regional Water Management Plan (IRWMP)* for the Santa Ana River Watershed (also referred to as “One Water One Watershed Plan Update 2018,” (February 19, 2019) prepared by the Santa Ana Watershed Project Authority (SAWPA). These documents are herein incorporated by reference and are available for public review at the physical locations and website addresses given in EIR Section 7.0, *References*.

4.8.1 EXISTING CONDITIONS

A Regional Hydrology

The Project Site is located within the 2,650-acre Santa Ana River watershed. Within the Santa Ana River watershed, the Santa Ana River is the principal surface flow water body within the region. The Santa Ana River rises in Santa Ana Canyon in the southern San Bernardino Mountains and runs southwesterly across San Bernardino, Riverside, and Orange Counties, where it discharges into the Pacific Ocean at the City of Huntington Beach. The total length of the Santa Ana River and its major tributaries is approximately 700 miles (SAWPA, 2019, p. 4-1)³. The location of the Project Site within the Santa Ana River watershed is depicted on Figure 4.8-1, *Santa Ana River Watershed Map*.

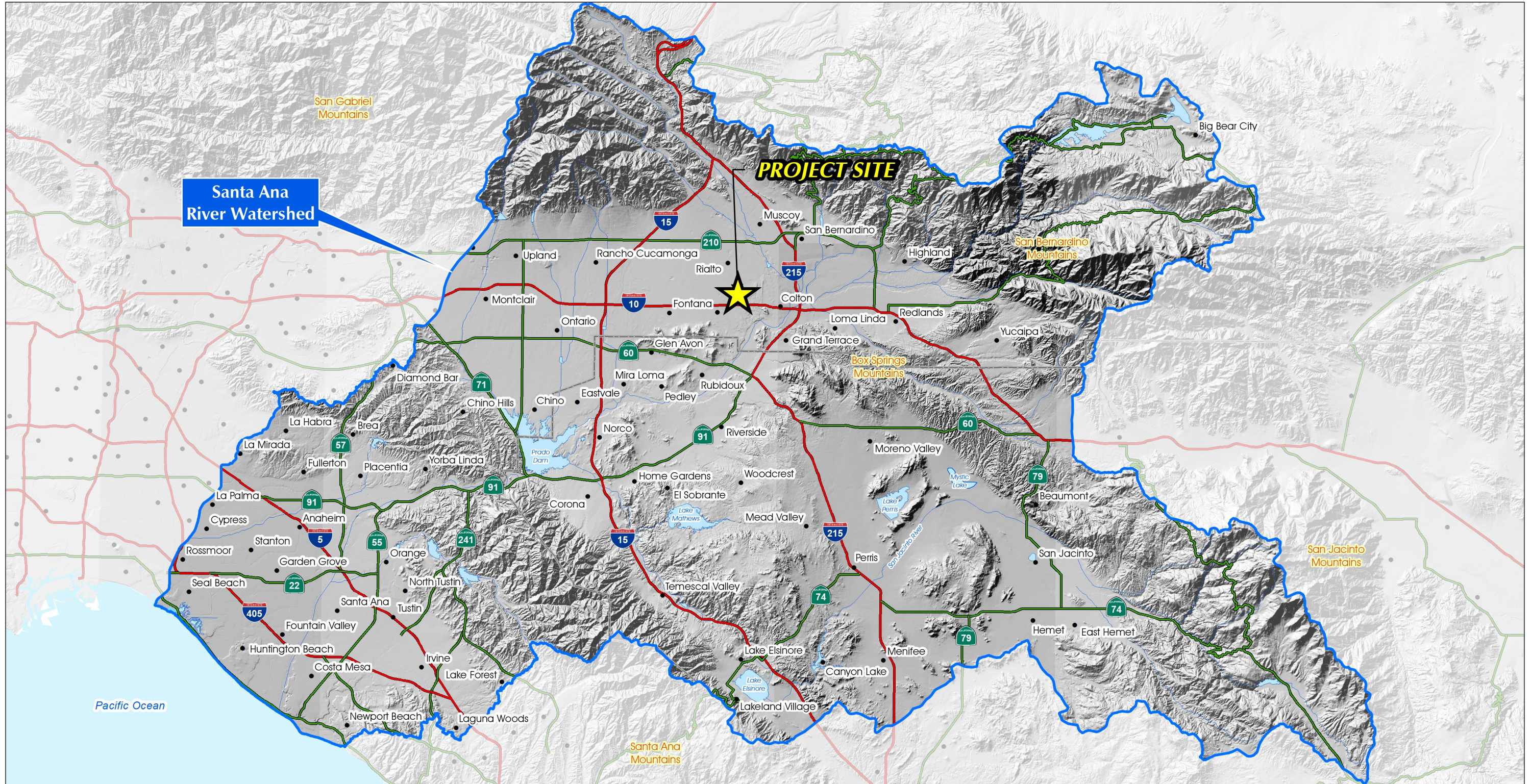
B Site Hydrology

Under existing conditions, runoff drains across the Project Site in a southeasterly direction as sheet flow and discharges into Willow Avenue through a parkway culvert (Thienes, 2021a). During peak storm events, the Project Site discharges approximately 39.4 cubic feet per second (cfs) to Willow Avenue (ibid.). Within Willow Avenue, stormwater runoff is collected in a catch basin and conveyed to a box culvert that carries runoff south and beneath the Willow Avenue and Valley Boulevard intersection (ibid.). South of the intersection, the box culvert terminates and stormwater runoff flows are discharged back onto the street, where it is conveyed south via the existing concrete curb and gutter system before spilling into a Caltrans-maintained concrete-lined drainage channel adjacent to I-10 (ibid.). The Project Site’s existing stormwater drainage pattern is illustrated on Figure 4.8-2, *Existing Conditions Hydrology Map*.

¹ Thienes Engineering, 2021. *Preliminary Hydrology Calculations for Valley Boulevard Industrial Building Blvd. Between Willow Avenue and Lilac Avenue Rialto, California*. July 6, 2021.

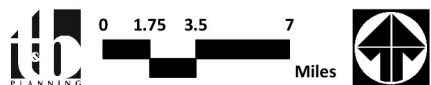
² Thienes Engineering, 2021. *Water Quality Management Plan for: Valley Boulevard Industrial Building W. Valley Blvd. and S. Willow Avenue Rialto, CA 92316*. July 6, 2021.

³ Santa Ana Watershed Project Authority, 2019. *One Water One Watershed Update 2018*. <https://www.ocwd.com/media/7970/wic07aone-water-one-watershed-plan-update.pdf>

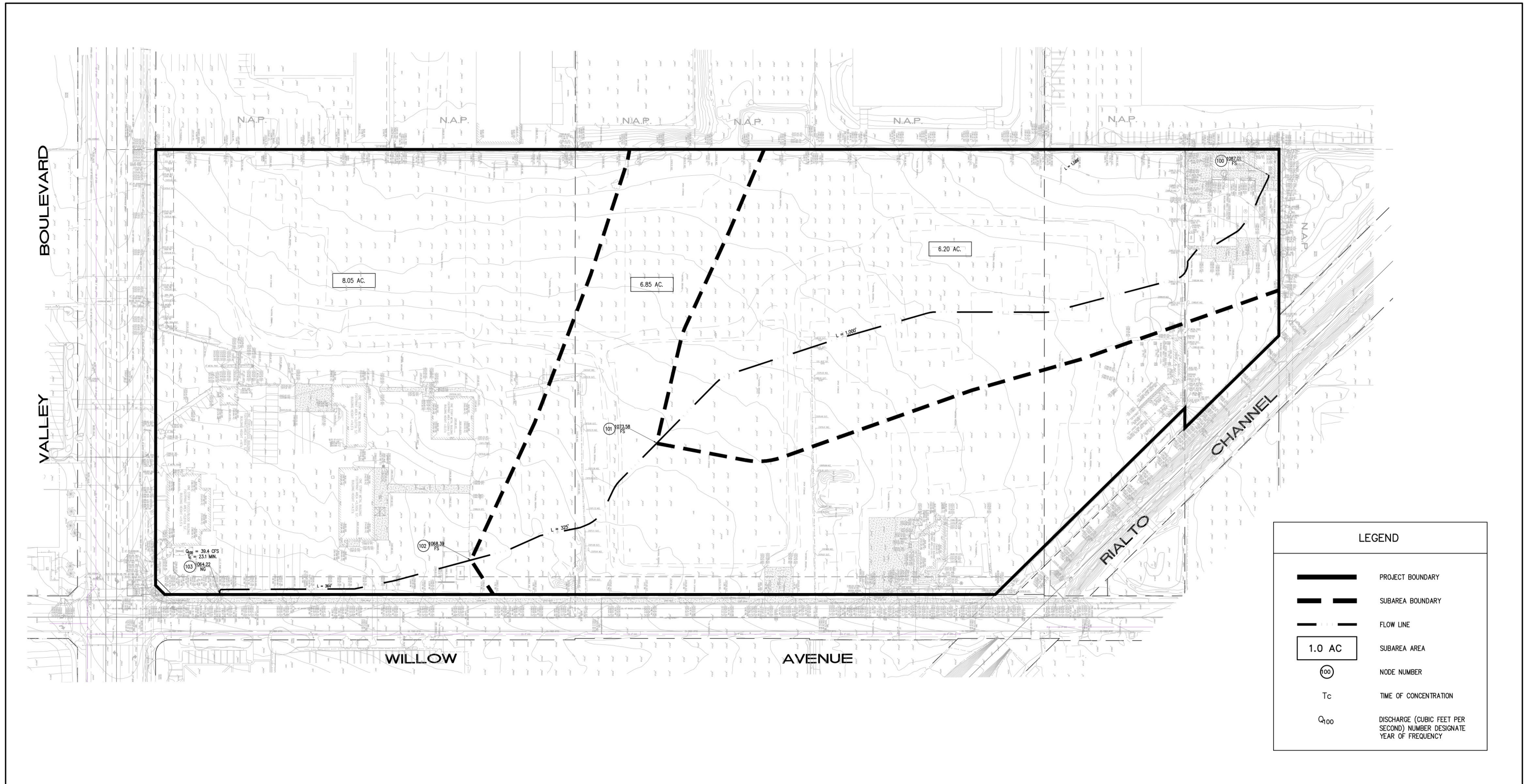


Source(s): ESRI, RCTLMA (2021)

Figure 4.8-1

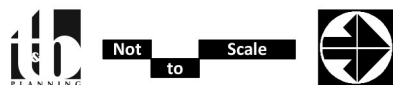


Santa Ana River Watershed Map



Source(s): Thienes Engineering, Inc. (07-06-2021)

Figure 4.8-2



Existing Conditions Hydrology Map



In addition, spillover from an off-site retention basin enters the Project Site along its western boundary (ibid.). The Project Site receives approximately 19.4 cfs of run-on during peak storm events under existing conditions (ibid.).

C Flooding and Dam Inundation

According to the FEMA FIRM Nos. 06071C8659H and 06071C8678J, dated August 28, 2008, the Project Site is located within FEMA Flood Zone X (unshaded), which is an area with less than a 0.2% chance of annual flood (FEMA, 2008)⁴. Flood Zone X (unshaded) is considered to be an area of minimal flood hazard and is not considered a special flood hazard area (ibid.).

According to the City of Rialto General Plan, the Project Site is not located within any mapped dam inundation area (Rialto, 2010a, Exhibit 5.2)⁵.

D Water Quality

The Federal Water Pollution Control Act Amendment of 1972 (also referred to as the CWA) requires all states to conduct water quality assessments of their water resources to identify water bodies that do not meet water quality standards. Water bodies that do not meet water quality standards due to excessive concentrations of pollutants are placed on a list of impaired waters pursuant to Section 303(d) of the CWA. Santa Ana River, Reach 4 (indicator bacteria), Santa Ana River, Reach 3 (copper, indicator bacteria, lead), and Prado Dam (power of hydrogen [pH]) are receiving waters from the Project Site that are included on the Section 303(d) list of the CWA with water quality impairments (Thienes, 2021b, p. 3-3).

E Groundwater

The City is located within the Upper Santa Ana Valley Groundwater Basin, which consists of nine subbasins, four of which are within the City of Rialto: Bunker Hill, Rialto-Colton, Chino, and Riverside-Arlington (Rialto, 2010b, p. 181)⁶. The Project Site is located within the Riverside-Arlington Groundwater Subbasin (Rialto, 2010b, Exhibit 4.8.1). The Riverside-Arlington Subbasin is replenished by infiltration from Santa Ana River flow, underflow past the Rialto-Colton fault, intermittent underflow from the Chino Subbasin, return irrigation flow, and deep percolation of precipitation (SBVWCD, 2015, p. 2-38)⁷.

According to the geotechnical report prepared for the Project Site by SCG, no groundwater was encountered during subsurface borings on the Project Site (which extended up to 25 feet bgs) (SCG, 2021, p. 6)⁸. Based on the data from monitoring wells located approximately 1.0-mile southeast of the Project Site, groundwater is expected in the Project area at a depth of approximately 198 feet bgs of the vicinity (ibid.).

⁴ Federal Emergency Management Agency, 2008. *FIRM Nos. 06071C8659H and 06071C8678J*. <https://msc.fema.gov/portal/home>

⁵ Rialto, City of. *Rialto General Plan*. <http://yourrialto.com/wp-content/uploads/2016/08/General-Plan-Update-2010.pdf>.

⁶ Rialto, City of. *City of Rialto General Plan Update Draft Environmental Impact Report State Clearinghouse Number 2008071100*.

⁷ San Bernardino Valley Water Conservation District, 2015. *Upper Santa Ana River Watershed Integrated Regional Water Management Plan*. January 2015. Available on-line at: <https://www.sbvwdc.org/docman-projects/upper-santa-ana-integrated-regional-water-management-plan/3802-usarw-irwmp-2015-ch1-9-final/file>

⁸ Southern California Geotechnical, 2021. *Geotechnical Investigation Proposed Warehouse NWC Valley Boulevard and South Willow Avenue Rialto, California*. August, 18, 2021.



4.8.2 REGULATORY SETTING

The following is a brief description of the federal, State, and local environmental laws, related regulations, and plans related to hydrology and water quality.

A Federal Plans, Policies, and Regulations

1. Clean Water Act

The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters (EPA, 2020d)⁹. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the U.S. EPA has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. U.S. EPA's NPDES permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

B State Plans, Policies, and Regulations

1. Porter-Cologne Water Control Act

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code Section 13000 *et seq.*), the policy of the State is as follows (SWRCB, 2014a)¹⁰:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual

⁹ Environmental Protection Agency, 2020. *Summary of the Clean Water Act*. <https://www.epa.gov/laws-regulations/summary-clean-water-act>

¹⁰ State Water Resources Control Board, 2014. *Federal, State and Local Laws, Policy and Regulations*. https://www.waterboards.ca.gov/water_issues/programs/nps/encyclopedia/0a_laws_policy.html.



permitting, inspection, and enforcement actions within each of nine hydrologic regions. The State Water Board and Regional Water Boards have numerous nonpoint source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements WDRs for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The SWRCB and the RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. The Project Site is located in the Santa Ana River Watershed which is within the purview of Santa Ana RWQCB. The Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Plan* is the governing water quality plan for the region.

2. California Water Code

The California Water Code is the principal state law regulating water quality in California. Water quality provisions must be complied with as contained in numerous code sections including: 1) the Health and Safety Code for the protection of ground and surface waters from hazardous waste and other toxic substances; 2) the Fish and Game Code for the prevention of unauthorized diversions of any surface water and discharge of any substance that may be deleterious to fish, plant, animal, or bird life; 3) the Harbors and Navigation Code for the prevention of the unauthorized discharge of waste from vessels into surface waters; and 4) the Food and Agriculture Code for the protection of groundwater which may be used for drinking water supplies. The California Department of Fish and Wildlife (CDFW), through provisions of the Fish & Game Code (Sections 1601-1603) is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by CDFW.

Surface water quality is the responsibility of the RWQCB, water supply and wastewater treatment agencies, and city and county governments. The principal means of enforcement by the RWQCB is through the development, adoption, and issuance of water discharge permits. RWQCB basin plans establish water quality objectives that are defined as the limits or levels of water quality constituents or characteristics for the reasonable protection of beneficial uses of water.



3. *California Toxics Rule (CTR)*

The California Toxics Rule (CTR) fills gap in California’s water quality standards necessary to protect human health and aquatic life beneficial uses. The CTR criteria are similar to those published in the National Recommended Water Quality Criteria. The CTR supplements, and does not change or supersede, the criteria that EPA promulgated for California waters in the National Toxics Rule (NTR). The human health NTR and CTR criteria that apply to drinking water sources (those water bodies designated in the Basin Plans as municipal and domestic supply) consider chemical exposure through consumption of both water and aquatic organisms (fish and shellfish) harvested from the water. For waters that are not drinking water sources (e.g., enclosed bays and estuaries), human health NTR and CTR criteria only consider the consumption of contaminated aquatic organisms. The CTR and NTR criteria, along with the beneficial use designations in the Basin Plans and the related implementation policies, are the directly applicable water quality standards for toxic priority pollutants in California waters (SWRCB, 2016, pp. 14-15)¹¹.

4. *Watershed Management Initiative (WMI)*

The State Water Board and Regional Water Board (collectively referred to as “Water Boards”) are currently focused on looking at entire watersheds when addressing water pollution. The Water Boards adopted the Watershed Management Initiative (WMI) to further their goals. The WMI establishes a broad framework overlying the numerous federal and State mandated priorities. As such, the WMI helps the Water Boards achieve water resource protection, enhancement and restoration while balancing economic and environmental impacts (SWRCB, 2021a)¹². The integrated approach of the WMI involves three main ideas:

- Use water quality to identify and prioritize water resource problems within individual watersheds. Involve stakeholders to develop solutions.
- Better coordinate point source and nonpoint source regulatory efforts. Establish working relationships between staff from different programs.
- Better coordinate local, state, and federal activities and programs, especially those relating to regulations and funding, to assist local watershed groups.

5. *Sustainable Groundwater Management Act (SGMA)*

The California Department of Water Resources’ (DWR’s) 2014 Sustainable Groundwater Management Act (SGMA) requires local public agencies and Groundwater Sustainability Agencies (GSAs) in “high”- and “medium”-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs (DWR, 2021a)¹³. The DWR categorizes the priority of groundwater basins (DWR, 2020)¹⁴. GSPs

¹¹ State Water Resources Control Board, 2016. *A Compilation of Water Quality Goals 17th Edition*. https://www.waterboards.ca.gov/water_issues/programs/water_quality_goals/docs/wq_goals_text.pdf.

¹² State Water Resources Control Board, 2021. *Watershed Management*. https://www.waterboards.ca.gov/water_issues/programs/watershed/.

¹³ Department of Water Resources, 2021. *Basin Prioritization*. <https://water.ca.gov/programs/groundwater-management/basin-prioritization>.

¹⁴ Department of Water Resources, 2020. *Sustainable Groundwater Management Act 2019 Basin Prioritization*. https://data.cnra.ca.gov/dataset/13ebd2d3-4e62-4fee-9342-d7c3ef3e0079/resource/ffafd27b-5e7e-4db3-b846-e7b3cb5c614c/download/sgma_bp_process_document.pdf.



are detailed road maps for how groundwater basins will reach long term sustainability. Section 10720.8(a) of the SGMA exempts adjudicated basins from the SGMA’s requirement to prepare a GSP (DWR, 2021b)¹⁵.

C Local Plans, Policies, and Regulations

1. City of Rialto Master Plan of Drainage

The City Master Plan of Drainage was prepared by the City’s Public Works Department to identify master-planned drainage and flood control facilities that are needed in the Project area to safely convey the peak runoff of a 100-year frequency storm. Per the Master Plan of Drainage, flows from the Project Site are planned to outlet into a new storm drain line located beneath Willow Avenue that will tie into a Caltrans-maintained channel north of I-10 (City of Rialto, 2009).

2. City of Rialto Municipal Code

Chapter 12.60 *et seq.* (Municipal Separate Storm Sewer System [MS4]) of the City’s Municipal Code requires the City to participate as a "Co-permittee" under the NPDES permit program to accomplish the requirements of the CWA (Rialto, 2021). Pursuant to this chapter, the City is required to participate in the improvement of water quality and comply with federal requirements for the control of urban pollutants to stormwater runoff.

3. SCAQMD Rule 403 (Fugitive Dust)

SCAQMD Rule 403 (Fugitive Dust) requires the implementation of best available dust control measures during active operations capable of generating fugitive dust (SCAQMD, 2005). The purpose of this Rule is to minimize the amount of particulate matter in the ambient air as a result of anthropogenic fugitive dust sources.

4.8.3 METHODOLOGY OF EVALUATING HYDROLOGY & WATER QUALITY IMPACTS

The analysis of potential hydrology and water quality-related impacts is based upon the hydrology calculations and preliminary water quality management plan prepared specifically for the Project Site. The hydrology calculations were prepared using the San Bernardino County Rational Method program (AES software). The preliminary water quality management plan was prepared based on the technical guidance document for water quality management plans within the Santa Ana River Watershed and utilizes the water quality management plan template for the Santa Ana River Watershed, both published by the County of San Bernardino. The City’s General Plan and information sources from State and Federal agencies were researched to establish the Project Site’s existing conditions and likelihood of environmental effects.

¹⁵ State Water Resources Control Board, 2021. *Governor’s Conservation Executive Orders and Proclamations.*
https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/executive_orders.html



4.8.4 BASIS FOR DETERMINING SIGNIFICANCE

The thresholds listed below are taken directly from CEQA Guidelines Appendix G and address the typical adverse hydrology and water quality effects that could result from development projects. The Project would result in a significant impact to hydrology and water quality if the Project or any Project-related component would:

- a. *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality;*
- b. *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;*
- c. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:*
 - i. *Result in substantial erosion or siltation on- or off-site;*
 - ii. *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;*
 - iii. *Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;*
 - iv. *Impede or redirect flood flows;*
- d. *Result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation*
- e. *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan*

4.8.5 IMPACT ANALYSIS

Threshold “a:” Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The Project Applicant would be required to comply with Section 402 of the Clean Water Act, which authorizes the NPDES permit program that covers point sources of pollution discharging to a water body. The NPDES program also requires operators of construction sites one-acre or larger to prepare a SWPPP and obtain authorization to discharge stormwater under an NPDES construction stormwater permit. The Project Applicant also would be required to comply with the California Porter-Cologne Water Quality Control Act (Section 13000 *et seq.*, of the California Water Code), which requires that comprehensive water quality control plans be developed for all waters within the State of California. The Project Site is located within the jurisdiction of the Santa Ana RWQCB.

A Construction-Related Water Quality Impacts

Construction of the Project would involve demolition, site preparation, grading, building construction, paving, and the application of architectural coatings. Construction activities have the potential to result in water quality pollutants such as silt, debris, adhesives, paints, and other chemicals with the potential to adversely affect water



quality. As such, short-term water quality impacts have the potential to occur during Project construction in the absence of any protective or avoidance measures.

Pursuant to the requirements of the Santa Ana RWQCB and the City Rialto (Municipal Code Chapter 12.60 *et seq.*), the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit (NPDES Permit). The NPDES Permit is required for all projects that include construction activities, such as clearing, soil stockpiling, grading, and/or excavation that disturb at least one (1) acre of total land area. The NPDES Permit would be applicable to the Project because the Project would disturb approximately 21 acres. In addition, the Project Applicant would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES Permit and the *Santa Ana River Basin Water Quality Control Program* involves the preparation and implementation of a SWPPP for construction-related activities, including grading. The SWPPP will specify the BMPs that the Project Applicant would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Mandatory compliance with the SWPPP would ensure that the Project's construction does not violate any water quality standards or waste discharge requirements. Therefore, water quality impacts associated with construction activities would be less than significant.

B Post-Development Water Quality Impacts

Stormwater pollutants that may be produced during Project operation include pathogens (bacteria/virus), metals, oil and grease, and trash/debris (all from pavement runoff) and phosphorus, nitrogen, sediment, pesticides/herbicides, and organic compounds (all from landscaping on-site) (Thienes, 2021b, p. 2-2). The expected pollutants of concern for the Project are pathogens, nitrogen, and metals (*ibid.*).

The Project Applicant would be required to implement a WQMP to demonstrate compliance with the City's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. The WQMP is a site-specific post-construction water quality management program designed to address the pollutants of concern of a development project via BMPs, implementation of which ensures the on-going protection of the watershed basin. The Project's preliminary WQMP, prepared by Thienes, is included as *Technical Appendix H2* to this EIR. As identified in the preliminary WQMP, the Project is designed to include structural source control BMPs (including a hydrodynamic separator, catch basin inserts, and underground infiltration chambers beneath the truck yard) as well as operational source control BMPs (including, but not limited to, the installation of water-efficient landscape irrigation systems, storm drain system stenciling and signage, and implementation of a trash and waste storage areas) to minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows for pollutants of concern before they are discharged into the municipal storm drain system (Thienes, 2021b, pp. 4-2 through 4-5). Technical details of the proposed BMPs are provided in the Project's preliminary WQMP (refer to *Technical Appendix H2*). Compliance with the preliminary WQMP would be required as a condition of Project approval pursuant to Rialto Municipal Code Section 12.60.260, and long-term maintenance of on-site BMPs would be required to ensure their long-term effectiveness. Therefore, water quality impacts associated with long-term operational activities would be less than significant.



Additionally, the NPDES program requires certain land uses, including the industrial land uses proposed by the Project, to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. On April 1, 2014, the California State Water Resources Control Board adopted an updated new NPDES permit for storm water discharge associated with industrial activities (referred to as the “Industrial General Permit”) (SWRCB, 2014b)¹⁶. The new Industrial General Permit, which is more stringent than the former Industrial General Permit, became effective on July 1, 2015. Under this currently effective Industrial General Permit, the Project Applicant would be required to prepare a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. Because the permit is dependent upon a detailed accounting of all operational activities and procedures, and the Project’s building users and their operational characteristics are not known at this time, details of the operational SWPPP (including BMPs) or potential exemption to the SWPPP operational activities requirement cannot be determined with certainty at this time. However, based on the performance requirements of the Industrial General Permit, the Project’s mandatory compliance with all applicable water quality regulations would further reduce potential water quality impacts during long-term operation.

Based on the foregoing analysis, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during long-term operation. Impacts would be less than significant.

Threshold “b:” Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?

The Project would be served with potable water from the municipal water system and the Project Applicant does not propose the use of any wells or other groundwater extraction activities. Therefore, the Project would not directly draw water from the groundwater table. Implementation of the Project has no potential to substantially deplete or decrease groundwater supplies and the Project’s impact to groundwater supplies would be less than significant.

Development of the Project Site would increase impervious surface coverage on the Project Site, which would, in turn, reduce the amount of water percolating down into the underground aquifer that underlies the Project Site and a majority of the City and surrounding areas (i.e., Riverside-Arlington Subbasin). Percolation is just one of several sources of groundwater recharge for the Subbasin. The Project includes design features that would maximize the percolation of on-site stormwater runoff into the Riverside-Arlington Subbasin, such as underground infiltration chambers and permeable landscape areas. Based on the small size of the Project Site in relation to the size of the groundwater basin and the design features proposed by the Project to allow percolation, implementation of the Project is determined to result in incremental changes to local percolation and would not result in substantial adverse effects to local groundwater recharge.

¹⁶ State Water Resources Control Board, 2014b. *National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Industrial Activities*. https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/industrial/2014indgenpermit/wqo2014_0057_dwq_revmar2015.pdf.



The Riverside North portion of the Riverside-Arlington Subbasin is an adjudicated basin; adjudicated basins are exempt from the 2014 SGMA because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of the Subbasin. No component of the Project would obstruct with or prevent implementation of the management plan for the Riverside-Arlington Subbasin.

For the reasons stated above, the Project would neither substantially deplete groundwater supplies nor interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Impacts would be less than significant.

<p><i>Threshold “c:”</i> <i>Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:</i></p> <ul style="list-style-type: none"> <i>i. Result in substantial erosion or siltation on- or off-site?</i> <i>ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</i> <i>iii. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</i> <i>iv. Impede or redirect flood flows?</i>
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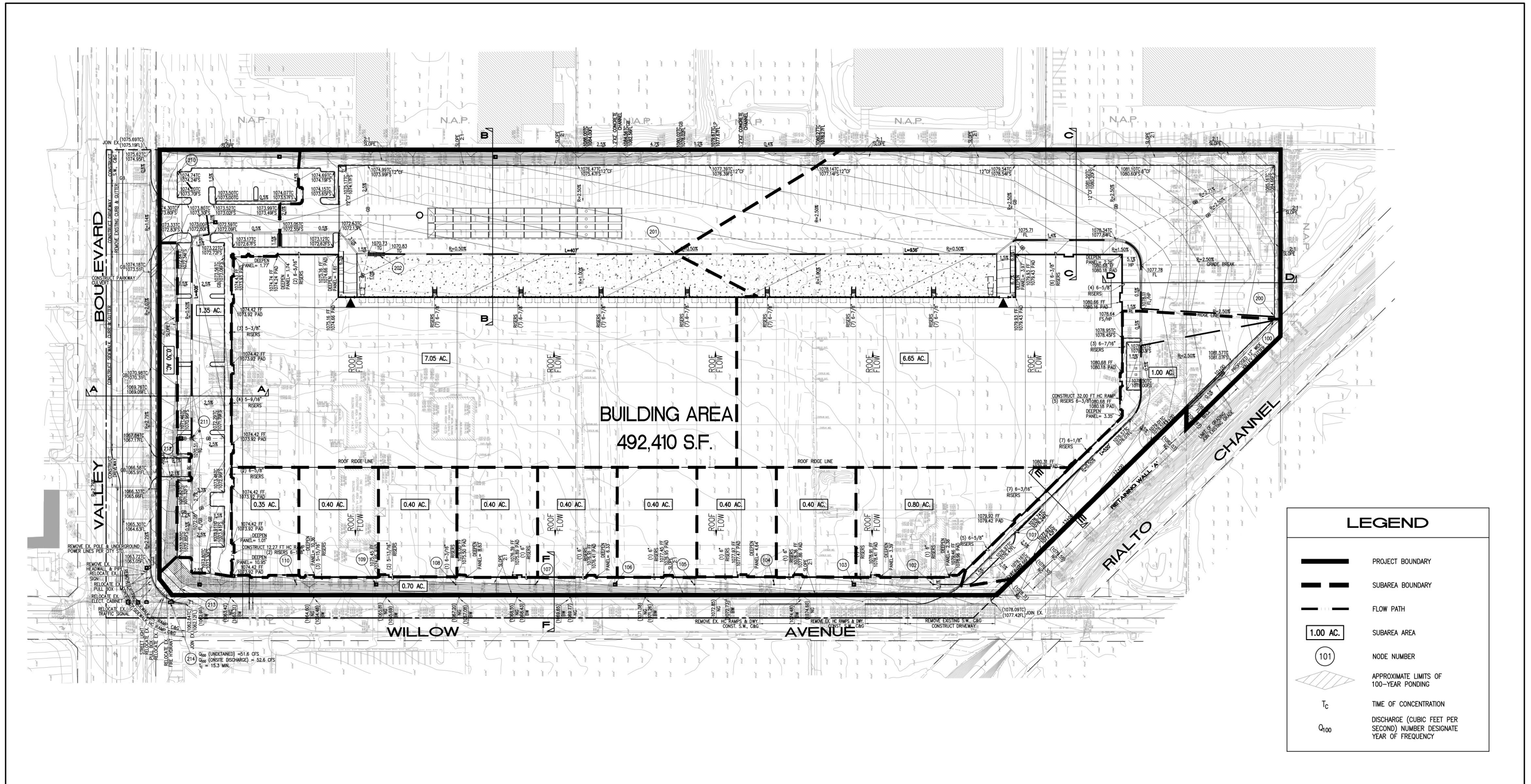
Implementation of the Project would alter the existing ground contours of the Project Site and result in the installation of impervious surfaces, which would result in changes to the site’s existing, internal drainage patterns. As described in detail in EIR Section 3.0, *Project Description*, the Project would include the installation of an integrated, on-site system of underground storm drain pipes, catch basins, and an underground infiltration chamber, in the proposed truck court to capture on-site stormwater runoff flows, convey the runoff across the Project Site, and treat the runoff to minimize the amount of water-borne pollutants carried from the Site. Upon development of the Project, all stormwater from the Project Site would be discharged to a storm drain beneath Willow Avenue. Figure 4.8-3, *Proposed Post-Development Hydrology Map* illustrates the post-development drainage pattern of the Project Site.

The following analysis evaluates the potential for Project-related development activities to adversely affect water quality or cause or exacerbate local flooding.

A Erosion and Siltation

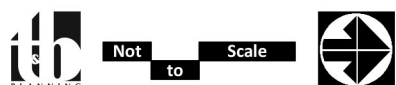
Although the Project would alter the Project Site’s interior drainage patterns, such changes would not result in substantial erosion or siltation on- or off-site.

Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State’s General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total



Source(s): Thienes Engineering, Inc. (07-06-2021)

Figure 4.8-3



Proposed Post-Development Hydrology Map



land area. In addition, the Project would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES Permit and the *Santa Ana River Basin Water Quality Control Program* involves the preparation and implementation of a SWPPP for construction-related activities. The SWPPP will specify the BMPs that would be required to be implemented during construction activities to ensure that waterborne pollution – including erosion/siltation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Lastly, the Project Applicant would be required to implement an erosion control plan pursuant to Rialto Municipal Code Section 17.40.010 and to ensure compliance with SCAQMD Rule 403 to minimize water- and windborne erosion. Mandatory compliance with the SWPPP and the City-required erosion control plan would ensure that Project construction activities would not result in substantial erosion or sedimentation.

Upon Project buildout, the Project Applicant would be required to implement a WQMP, which is a site-specific post-construction water quality management program that will be implemented to minimize erosion and siltation, pursuant to Rialto Municipal Code Section 12.60.260. The WQMP is required to identify an effective combination of erosion control and sediment control measures (i.e., BMPs) to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. The WQMP also is required to establish a post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the WQMP will be required as a condition of approval for the Project, as will the long-term maintenance of erosion and sediment control features. The preliminary WQMP for the Project is provided as *Technical Appendix H2* to this EIR. Because the Project Applicant would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, Project operation would result in less-than-significant impacts related to soil erosion and sedimentation.

B On- or Off-Site Flooding

The Project's on-site storm drain plan is designed to capture all stormwater runoff originating on the Project Site during peak storm conditions and convey these flows to Willow Avenue, which receives all stormwater runoff discharge from the Project Site under existing conditions. At buildout, the Project would discharge approximately 52.6 cfs to Willow Avenue during peak storm events (an approximately 34% increase relative to existing conditions) (Thienes, 2021a). Although the Project would increase peak stormwater runoff from the Project Site, the Project Site is located within the geographic area covered by the Rialto Master Plan of Drainage and the rate and amount of runoff from the Project Site would not conflict with the drainage concept for the Rialto Master Plan of Drainage, which has been designed to capture and convey peak stormwater runoff flows throughout the City (Thienes, 2021a). Also, the Project would install a new storm drain line beneath Willow Avenue between the Project Site and the existing concrete-lined, Caltrans-maintained storm drain channel adjacent to I-10. The proposed storm drain line beneath Willow Avenue will be sized to safely convey Project stormwater flows to the Caltrans storm drain channel, which has adequate capacity to accept the peak runoff flows for the Rialto Master Plan of Drainage (and, thus, from the Project) and safely convey these flows downstream (Thienes, 2021a). Accordingly, implementation of the Project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Impacts would be less than significant.



C Stormwater Drainage System Capacity and Polluted Runoff

As described above, stormwater runoff from the Project Site would be directed to storm drain facilities with adequate excess capacity to accept these flows. Thus, implementation of the Project would not create or contribute runoff that would exceed the capacity of existing stormwater drainage facilities. Impacts would be less than significant.

As discussed in the response to Threshold “a,” the Project’s construction contractors would be required to comply with a SWPPP and the Project’s owner or operator would be required to comply with the applicable WQMP (*Technical Appendix H2*) to ensure that Project-related construction activities and operational activities do not result in substantial amounts of polluted runoff. The Project would not result in substantial additional sources of polluted runoff and impacts would be less than significant.

D Flood Flows

According to FEMA FIRM Nos. 06071C8659H and 06071C8678J, the Project Site is not located within a special flood hazard area (FEMA, 2008). The Project Site is not expected to be inundated by flood flows during the lifetime of the Project and the Project would not impede flood flows. No impact would occur.

Threshold “d:” Would the Project result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The Pacific Ocean is located over 45 miles southwest of the Project Site; consequently, there is no potential for the Project Site to be impacted by a tsunami as tsunamis typically only reach up to a few miles inland. The Project Site also is not subject to flooding hazards associated with a seiche because the nearest large bodies of surface water (Lake Arrowhead, Lake Mathews and Lake Perris) are located approximately 16.1 miles northeast, 15.3 miles southwest, and 17.9 miles southeast of the Project Site, respectively, which is too far away from the subject property to impact the property with a seiche (Google Earth, 2021). Because the Project Site cannot be affected by a tsunami or seiche, there is no potential for such hazards to inundate the Project Site and cause a release of waterborne pollutants. The same is true with respect to all flood hazards as discussed above. No impact would occur.

Threshold “e:” Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

As previously discussed in the response to Threshold “a,” the Project Site is located within the Santa Ana River Basin and Project-related construction and operational activities would be required to comply with the Santa Ana RWQCB’s *Santa Ana River Basin Water Quality Control Plan* by preparing and adhering to a SWPPP and WQMP. Implementation of the Project would not conflict with or obstruct the *Santa Ana River Basin Water Quality Control Plan* and impacts would be less than significant.

The Project Site is located within the portion of the Riverside-Arlington Subbasin that is adjudicated under the 1969 Western-San Bernardino Judgment. Adjudicated basins, like the Riverside-Arlington Subbasin are exempt from the 2014 SGMA because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of the Subbasin. No component of the Project would obstruct with or prevent implementation of the management plan for the Riverside-Arlington Subbasin. As such, the Project’s



construction and operation would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

4.8.6 CUMULATIVE IMPACT ANALYSIS

The cumulative impact analysis considers construction and operation of the Project in conjunction with other development projects in the vicinity of the Project Site and projects located in the Santa Ana River Basin and Riverside-Arlington Groundwater Subbasin.

A Water Quality

Project construction and the construction of other projects in the cumulative study area would have the potential to contribute waterborne pollution, including erosion and siltation, to the Santa Ana River Watershed. Pursuant to the requirements of the State Water Resources Control Board and the Santa Ana RWQCB, all construction projects that disturb one (1) or more acres of land area are required to obtain coverage for construction activities under the State’s General Construction NPDES Permit. In order to obtain coverage, an effective site-specific SWPPP is required to be developed and implemented. The SWPPP must identify potential on-site pollutants and identify an effective combination of erosion control and sediment control measures to reduce or eliminate discharge of pollutants to surface waters. In addition, the Project Applicant and all cumulative developments in the Santa Ana River Basin would be required to comply with the Santa Ana RWQCB’s *Santa Ana River Basin Water Quality Control Program*, which establishes water quality standards for ground and surface waters of the region. Compliance with these mandatory regulatory requirements, would ensure that development projects within the Santa Ana River watershed, including the proposed Project, would not contribute substantially to water quality impairments during construction.

Operational activities on the Project Site would be required to comply with the Project’s WQMP to minimize the amount of waterborne pollution, including erosion and sediment, discharged from the site. Other development projects within the watershed would similarly be required by law to prepare and implement site-specific WQMPs to ensure that runoff does not substantially contribute to water quality violations. Accordingly, operation of the Project would not contribute to cumulatively-considerable water quality effects.

B Groundwater Supplies and Management

Although the Project would increase impervious surface coverage on the site, the Project incorporates design features that would allow surface runoff to infiltrate into the groundwater basin. Other development projects would similarly be required by applicable lead agencies to incorporate design features that facilitate percolation (e.g., through minimum landscaped/permeable area requirements, water quality/detention basins, infiltration basins). Also, as previously noted, implementation of the Project would not result in substantial adverse effects to local groundwater supplies or groundwater recharge. Thus, no component of the Project would obstruct with or prevent implementation of the management plan for the Upper Santa Ana Valley Groundwater Basin and other development projects within the Upper Santa Ana Valley Groundwater Basin would be prohibited from any activity that would endanger the health and sustainability of the groundwater basin. Based on the lack of impacts to groundwater, the provision of design measures that would facilitate percolation, and compliance with applicable Upper Santa Ana Valley Groundwater Basin management plans, cumulative development would not result in a considerable, adverse effect to local groundwater supplies.



C Flooding

Construction of the Project and other development projects within the Santa Ana River Basin would be required to comply with federal, State, and local regulations and applicable regional and local master drainage plans in order to mitigate flood hazards both on- and off-site. Compliance with federal, State, and local regulations and applicable drainage plans would require development sites to be protected from flooding during peak storm events (i.e., 100-year storm) and also would not allow development projects to expose downstream properties to increased flooding risks during peak storm events. In addition, future development proposals within the Santa Ana River Basin would be required to prepare hydrologic and hydraulic calculations, subject to review and approval by the responsible City/County Engineer, to demonstrate that substantial on- and/or off-site flood hazards would not occur. As discussed under the response to Threshold “c,” the Project is designed to ensure that runoff from the Project Site during peak storm events does not conflict with local master drainage plans and that existing and planned stormwater drainage facilities have adequate excess capacity to accept and convey without increasing the risk of flooding downstream. Because the Project and all other developments throughout the Santa Ana River Basin, would need to comply with federal, State, and local regulations to ensure that stormwater discharges are consistent with local master plans or do not substantially exceed existing volumes or exceed the volume of available conveyance infrastructure, a substantial cumulative impact related to flood hazards would not occur.

Additionally, the Project Site is not located within a special flood hazard area or in an area subject to inundation. Accordingly, development on the Project Site would have no potential to impede or redirect flood flows and a cumulatively-considerable impact would not occur.

4.8.7 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold “a:” Less-than-Significant Impact. The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Adherence to a SWPPP and WQMP is required as part of the Project’s implementation to address construction- and operational-related water quality.

Threshold “b:” Less-than-Significant Impact. The Project would not physically impact any of the major groundwater recharge facilities in the Upper Santa Ana Valley Groundwater Basin. The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede management of the Upper Santa Ana Valley Groundwater Basin.

Threshold “c:” Less-than-Significant Impact. The Project Applicant would be required to comply with applicable water quality regulatory requirements to minimize erosion and siltation. Additionally, the Project would not result in flooding on- or off-site or impede/redirect flood flows. Lastly, the Project would not create or contribute to increased flooding risks due to insufficient capacity of existing or planned stormwater drainage systems or and would not provide substantial additional sources of polluted runoff.

Threshold “d:” No Impact. The Project Site would not be subject to inundation from tsunamis, seiches, or other hazards.



Threshold “e:” Less-than-Significant Impact. The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.8.8 MITIGATION

Impacts would be less than significant; therefore, mitigation is not required.



4.9 LAND USE & PLANNING

This Subsection discusses the Project’s consistency with applicable land use and planning policies adopted by the City and other governing agencies for the purpose of reducing adverse effects on the environment. All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.9.1 EXISTING CONDITIONS

A Existing Land Use and Development

Under existing conditions, the entire Project Site is developed/disturbed and used for the outdoor storage of trailers, construction equipment, and construction materials. The Project Site also contains several structures and outbuildings used as offices and storage for the businesses operating on the site. Refer to EIR Section 2.0, *Environmental Setting*, for a detailed description of the existing conditions of the Project Site and surrounding area.

As previously shown on EIR Figure 2-1, *Surrounding Land Uses*, vacant, undeveloped land and a man-made storm channel abuts the Project Site immediately to the north. Farther north is vacant, undeveloped land and property developed as industrial/warehouse buildings. Immediately to the south of the Project Site is Valley Boulevard. On the south side of Valley Boulevard is a vacant industrial building, an industrial building occupied by several auto repair workshops, and an office building. Properties abutting the Project Site on the west are occupied by a variety of uses, including warehouse buildings, truck parking, construction materials fabrication and storage. Immediately east of the Project Site is Willow Avenue. East of Willow Avenue is vacant, undeveloped land and an industrial building.

4.9.2 REGULATORY SETTING

The following is a brief description of the federal, State, and local environmental laws and related regulations related to land use and planning.

A State Plans, Policies, and Regulations

1. California Planning and Zoning Law

The legal framework in which California cities and counties exercise local planning and land use functions is set forth in the California Planning and Zoning Law, Sections 65000 - 66499.58. Under State of California planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. These requirements include the inclusion of eight mandatory elements described in the Government Code: land use, circulation, housing, conservation, open space, noise, safety, and environmental justice (applicable to General Plans adopted or updated after January 1, 2018). Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and mitigation measures.

2. Office of Planning and Research (OPR) General Plan Guidelines

Each city and county in California must prepare a comprehensive, long term general plan to guide its future. To assist local governments in meeting this responsibility, the Governor’s OPR is required to adopt and



periodically revise guidelines for the preparation and content of local general plans pursuant to Government Code Section 65040.2 (OPR, 2017a, p. 1)¹. The General Plan Guidelines is advisory, not mandatory (ibid.). Nevertheless, it is the State's only official document explaining California's legal requirements for general plans. Planners, decision-making bodies, and the public depend upon the General Plan Guidelines for help when preparing local general plans. The courts have periodically referred to the General Plan Guidelines for assistance in determining compliance with planning law. For this reason, the General Plan Guidelines closely adheres to statute and case law. It also relies upon commonly accepted principles of contemporary planning practice.

3. Senate Bill 375 (SB 375)

SB 375 contains five major components. The first is regional GHG emissions targets: California ARB's Regional Targets Advisory Committee guides the adoption of targets to be met by 2035 for each Metropolitan Planning Organization (MPO) in the state. These targets, which MPOs may propose themselves, are updated every eight years in conjunction with the revision schedule of housing and transportation elements.

Second, MPOs are required to prepare a Sustainable Communities Strategy (SCS) that provides a plan for meeting regional targets. The SCS and the Regional Transportation Plan (RTP) must be consistent with each other, including action items and financing decisions. If the SCS does not meet the regional target, the MPO must produce an Alternative Planning Strategy that details an alternative plan to meet the target.

Third, SB 375 requires that regional housing elements and transportation plans be synchronized on 8-year schedules. In addition, Regional Housing Needs Assessment (RHNA) allocation numbers must conform to the SCS. If local jurisdictions are required to rezone land as a result of changes in the housing element, rezoning must take place within three years.

Fourth, SB 375 provides CEQA streamlining incentives for preferred development types. Certain residential or mixed-use projects qualify if they conform to the SCS. Transit-oriented developments (TODs) also qualify if they (1) are at least 50% residential, (2) meet density requirements, and (3) are within 0.5-mile of a transit stop. The degree of CEQA streamlining is based on the degree of compliance with these development preferences.

Finally, MPOs must use transportation and air emissions modeling techniques consistent with guidelines prepared by the California Transportation Commission (CTC). Regional Transportation Planning Agencies, cities, and counties are encouraged, but not required, to use travel demand models consistent with the CTC guidelines. (CA Legislative Info, n.d.)²

¹ Office of Planning and Research, 2017. *State of California General Plan 2017 Guidelines*. Available on-line at: http://www.opr.ca.gov/docs/OPR_COMPLETE_7.31.17.pdf.

² California Legislative Information, 2008. *Senate Bill 375*. Approved: September 30, 2008. Available on-line at: https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=200720080SB375.



B Local Plans, Policies, and Regulations

1. City of Rialto General Plan

The City of Rialto General Plan is a policy document that reflects the City’s vision for the future of Rialto. The General Plan is organized into six chapters that contain a series of policies to guide the City’s vision for future development. Each of the chapters from the City of Rialto General Plan are summarized below.

☐ Managing Our Land Supply

The “Managing Our Land Supply” Chapter addresses the following elements: Land Use, Open Space, and Conservation, as well as Community Design. The “Managing Our Land Supply” Chapter provides the building blocks for the City’s land and natural resources policy; establishes the City’s preferred land use patterns and intensities; guides the visual character of public places and private development; and creates the conservation and protection plans for natural resources and open space (Rialto, 2010a, p. 2-1). The primary role of this Chapter is to direct the use of the City’s land resources in the most equitable and productive manner possible, with the aim of providing a high quality of life for residents and the overall community (ibid).

Within the “Managing Our Land Supply” Chapter, the Land Use Policy Plan (Exhibit 2.2) designates the northern portion of the Project Site for “B-P” land uses and the southern portion of the Project Site for “G-C” land uses. The “B-P” land use designation allows a mix of commercial, office, research and development, laboratories, and light industrial uses developed in a complementary manner and displaying high-quality architecture and site design (Rialto, 2010a, p. 2-9). The maximum FAR for “B-P” land uses is 0.5 (ibid.). The “G-C” land use designation provides opportunities for general retail, commercial services, restaurants, lodging, commercial recreation, professional offices, and medical and financial institutions (ibid.). The maximum FAR for “G-C” land uses is 1.0 (ibid.). The existing uses located on the Project Site are not consistent with these land use designations because they contain outdoor storage components that are not allowed within the “G-C” and “B-P” designations and, also, lack the high-quality architecture and site design intended for industrial land uses within the BP designation.

☐ Investing in Our Future

The “Investing in Our Future” Chapter includes four (4) sections: Economic Development, Redevelopment, Infrastructure, and Public Services and Facilities. This Chapter establishes objectives for the strategic investments of capital that will allow the community to prosper into the future; describes the challenges facing the business community; and sets forth goals and policies to guide the City’s economic development (Rialto, 2010a, pp. 3-1 and 3-2).

☐ Circulation

The “Making the Connections: the Circulation Chapter” provides policy direction to create a system of “complete streets,” which refers to a multi-modal transportation network designed and operated to meet the needs of all users (Rialto, 2010a, p. 4-1). Through the goals and policies of this Chapter, the City will strive to meet diverse mobility needs and reduce vehicle miles traveled, which will reduce greenhouse gas emissions, address climate change, and mitigate roadway congestion (Rialto, 2010a, p. 4-2).



☐ Safety and Noise

The “Safety and Noise” Chapter identifies hazards of concern in Rialto, including seismic and geologic hazards, flood hazards, fire hazards, hazardous materials, gangs, emergency response, and wind hazards. This Chapter sets forth goals and policies that can help minimize the effects of these hazards in order for the City to be better prepared for emergency situations, adverse conditions, and events that threaten the community (Rialto, 2010a, p. 5-1).

☐ Housing

The “Housing Element” Chapter provides the City with a coordinated and comprehensive strategy for promoting the production of safe, decent, and affordable housing for all within the community (Rialto, 2010a, p. 6-1). This Chapter identifies ways in which the housing needs of current and future residents can be met (ibid). This Chapter covers the period extending from July 1, 2008 to June 30, 2014. At the time this EIR was prepared, the 2021-2029 Housing Element Update was under review by the City and has not been approved. Therefore, the 2008-2014 Housing Element is the applicable Chapter for purposes of analysis herein.

☐ Cultural and Historic Resources

The “Our Roots: Cultural and Historic Resources” Chapter provides direction for enhancing the historical resources in the City of Rialto (Rialto, 2010a, p. 7-1). As the City of Rialto continues to evolve, the policies in this Chapter aim to help the City reflect and possibly preserve the history that is still present or yet to be uncovered (ibid).

2. Gateway Specific Plan

The Project Site is located within the geographic boundaries of the Gateway Specific Plan. The Gateway Specific Plan establishes specific zoning designations and development standards for private development projects located within its geographic boundaries. As previously shown on EIR Figure 2-3, *Existing Gateway Specific Plan Land Use Map*, the Specific Plan designates the northern portion of the Project Site for “I-P” land uses and the southern portion of the Project Site for “F-C” land uses. The “I-P” area allows light industrial and warehousing uses that would be good neighbors for upscale retail, office, and freeway commercial uses and for the existing residential areas adjoining the area (Rialto, 1990, p. 4-3). The “F-C” area allows eating places, lodging facilities, auto services, and some office and retail uses (Rialto, 1990, p. 4-2). The existing uses located on the Project Site are not consistent with these zoning designations because on-site business operations and storage do not occur within an enclosed building and are not screened from public view.

3. City of Rialto Municipal Code and Zoning Ordinance

The provisions of the Gateway Specific Plan are the primary land use and development standards for the Project Site area, and are in addition to the City’s Municipal Code. In the event of a conflict between the Gateway Specific Plan and the Municipal Code (which includes the City’s Zoning Ordinance), the Specific Plan prevails as allowed under Federal and State law. Where the Specific Plan is silent and there is no conflict, both apply concurrently.



4. SCAG 2020-2045 RTP/SCS (*Connect SoCal*)

The SCAG is a JPA under California State law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a MPO and under State law as a Regional Transportation Planning Agency and a Council of Governments (SCAG, 2020a)³. The SCAG region encompasses six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura) and 191 cities in an area covering more than 38,000 square miles (ibid).

SCAG’s 2020-2045- RTP/SCS (*Connect SoCal*) develops long-range regional transportation plans including a sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations and other plans for the region. The *Connect SoCal* provides objectives for meeting air pollution emissions reduction targets set forth by the California Air Resources Board (CARB); these objectives were provided in direct response to Senate Bill 375 (SB 375) which was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. The Subregional Sustainable Communities Strategies identifies the Project Site as being located in an area with a “Standard Suburban” land use pattern, which is defined as auto-oriented development with a minimal mix of land uses (SCAG, 2020c, p. 45)⁴.

5. SCAQMD Air Quality Management Plan (AQMP)

An AQMP is a plan for the regional improvement of air quality. The SCAQMD 2016 AQMP is the applicable AQMP for the South Coast Air Basin and was approved by the SCAQMD Governing Board in March 2017 (SCAQMD, 2017a). The Project’s consistency with the 2016 AQMP was analyzed in detail in EIR Subsection 4.2, *Air Quality*, and thus is not further discussed in detail within this Subsection.

4.9.3 METHODOLOGY FOR EVALUATING LAND USE & PLANNING IMPACTS

The analysis of potential land use impacts considers whether the Project is inconsistent with adopted plans and policies that are applicable to the Project Site and/or the Project’s proposed land uses. The determination of inconsistency with applicable land use policies and ordinances is based upon a review of the planning documents previously identified in this section that regulate land use or guide land use decisions pertaining to the Project Site. CEQA Guidelines Section 15125(d) requires that an EIR discuss inconsistencies with applicable plans that the decision-makers should address. Evaluations are made as to whether a project is inconsistent with such plans. Projects are considered consistent with regulatory plans if they are compatible with the general intent of the plans and would not preclude the attainment of their primary goals. The intention of the evaluation of consistency with regulatory plans is to determine if non-compliance would result in a significant physical impact on the environment.

³ Southern California Association of Governments, 2020. *Connect SoCal*. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176.

⁴ Southern California Association of Governments, 2020. *Sustainable Communities Strategy*. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_sustainable-communities-strategy.pdf?1606002097.



4.9.4 BASIS FOR DETERMINING SIGNIFICANCE

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to land use and planning that could result from development projects. The Project would result in a significant impact related to land use and planning if the Project or any Project-related component would:

- a. *Physically divide an established community; or*
- b. *Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect.*

4.9.5 IMPACT ANALYSIS

Threshold “a:” Would the Project physically divide an established community?

Under existing conditions, the Project Site is developed as outdoor storage for trailers, construction equipment, and construction materials, and contains several structures and outbuildings used for offices and storage. No established residential communities are present on or adjacent to the Project Site (Google Earth, 2021). The Project Site does not provide access to established communities and development of the Site would not isolate any established communities or residences from neighboring communities. Development and operation of the Project would thus not physically disrupt or divide the arrangement of an established community. No impact would occur.

Threshold “b:” Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

As discussed above, various local plans and regulatory documents guide development of the Project Site. The following discussion addresses whether any Project inconsistency with the applicable goals, objectives, and policies of the City of Rialto General Plan, Gateway Specific Plan, City of Rialto Municipal Code and Zoning Ordinance, SCAG SoCal Connect and/or SCAQMD Air Quality Management Plan would result in a significant environmental impact.

A City of Rialto General Plan

The Project includes an amendment to the City General Plan Land Use Policy Plan that would change the land use designation for the southern, approximately 8.5 acres of the Project Site from “G-C” to “Business Park “B-P.” Approval of the requested General Plan Amendment would eliminate any potential inconsistency between the Project’s proposed land use (a distribution warehouse) and the “G-C” land use designation that currently applies to the southern portion of the property. Impacts to the environment associated with the Project, inclusive of the proposed General Plan Amendment, are evaluated throughout this EIR, and where significant impacts are identified, mitigation measures are identified to reduce impacts to the maximum feasible extent. There are no environmental impacts that would result as a specific consequence of the proposed change to the General Plan land use designation from “G-C” to “B-P” on the southern 8.5 acres of the Project Site, beyond what is already evaluated and disclosed by this EIR.



Based on a review of the Project’s application materials conducted by City staff, the Project would not conflict with any specific objectives, policies, or actions in the General Plan’s “Managing Our Land Supply,” “Investing in Our Future,” “Circulation,” “Safety and Noise,” “Housing Element,” and “Cultural and Historic Resources” Chapters that were adopted for the purpose of avoiding or mitigating an environmental effect. As discussed in EIR Subsection 4.11, *Transportation*, the City’s requirement to pay fair share fees – enforced through conditions of approval on the Project – would ensure that Project traffic would be consistent with the level of service (LOS) criteria established by General Plan Circulation Chapter Policy 4-1.20 because these required fair share payments would provide funding for the improvements needed to ensure that the affected roadway facilities operate at an acceptable LOS, thereby ensuring consistency with General Plan Circulation Chapter Policy 4-1.20. While this EIR does not rely on this, it bears noting that pursuant to SB 743 and the CEQA Guidelines, LOS cannot be used as the significance threshold for finding that the Project would result in a significant environmental effect.

Based on the preceding analysis, the Project would not cause a significant environmental effect due to a conflict with the Rialto General Plan.

B Gateway Specific Plan

The Project Site is located within the Gateway Specific Plan. The proposed Project is partially inconsistent with the existing Land Use Plan for the Gateway Specific Plan because the existing Land Use Plan designates the southern, approximately 8.5 acres of the 21.0-acre Project Site for “F-C” land uses. The Project includes a proposed amendment to the Gateway Specific Plan Land Use Plan that would change the land use designation for the southern, approximately 8.5 acres of the Project Site to “I-P” and, if approved, would eliminate the Project’s inconsistency with the Specific Plan Land Use Plan. The land use proposed by the Project (a distribution warehouse) would be compatible with the Gateway Specific Plan, as the “I-P” designation already is applied to more than 100 acres within the Specific Plan area – including the approximately 11.6 acres that comprise the northern portion of the Project Site. The Project is required to be designed, constructed, and operated in conformance with the development standards and design guidelines of the Gateway Specific Plan, including and not limited to maximum development intensity, site planning standards, architecture and landscape standards. Therefore, with the approval of the proposed Specific Plan Amendment and conformance to the Gateway Specific Plan development standards and design guidelines, the Project would not conflict with the Gateway Specific Plan and the Project would thus not result in an adverse environmental impact resulting from a conflict with the Specific Plan.

C City of Rialto Zoning Ordinance

The development regulations and design standards contained within Sections 4.0 and 5.0 of the Gateway Specific Plan supersede the zoning standards contained in the City’s Zoning Ordinance (Municipal Code Title 18), except in instances where the Specific Plan is silent and the applicable regulations and standards contained in the Zoning Ordinance prevail. The Project includes a Variance to allow the proposed warehouse distribution building to exceed the 35-foot height limit within the Gateway Specific Plan’s “I-P” zone. The Project also includes a Variance to Rialto Municipal Code Section 18.61.250(E), which would allow the Project to provide less than a 10-foot-wide landscape strip along segments of the Project Site’s northern boundary in order to provide an additional access lane for inbound trucks (a total of two inbound lanes are provided) so that truck queueing will occur on-site and not spill onto Willow Avenue. With approval of the Variance, the Project



would not be considered in conflict with either the Gateway Specific Plan or the City’s Zoning Ordinance, as a Variance is the City’s appropriate mechanism for allowing a deviation from the development regulations contained within the Zoning Ordinance. Furthermore, in adopting the Variance, the City is required to adopt findings that state that approval of the Variance would not prevent implementation of the General Plan nor be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and district in which the property is located. The Project would not result in an adverse environmental impact due to a conflict with the City of Rialto Zoning Ordinance. Providing a building taller than 35 feet (as discussed in EIR Subsection 4.1, *Aesthetics*) and providing less than a 10-foot-wide landscape strip along the entirety of the northern Project Site boundary is not found to lead to any adverse environmental effect.

D SCAG Connect SoCal

As shown in Table 4.9-1, *SCAG’s Connect SoCal Goal Consistency Analysis*, the Project would not conflict with the adopted *Connect SoCal*. Thus, impacts would be less than significant.

Table 4.9-1 SCAG’s Connect SoCal Goal Consistency Analysis

Goals	Goal Statement	Project Consistency Discussion
1	Encourage regional economic prosperity and global competitiveness.	<u>No conflict identified.</u> This policy would be implemented by cities and the counties within the SCAG region as part of comprehensive local and regional planning efforts. It should be noted that the Project would improve the regional economy by creating a new warehouse facility that is estimated to create 639 total jobs.
2	Improve mobility, accessibility, reliability, and travel safety for people and goods.	<u>No conflict identified.</u> The Project Applicant would improve the segments of Valley Boulevard and Willow Avenue that abut the Project Site to their planned ultimate half-width, thereby improving local mobility. The Project Applicant also would provide improvements to the northwest and northeast corners of the Valley Boulevard and Willow Avenue intersection to ensure safe turning movements for trucks traveling to and from the Project Site. Additionally, there are no components of the Project that would foreseeably result in substantial safety hazards to motorists or pedestrians, as discussed in EIR Subsection 4.11, <i>Transportation</i> .
3	Enhance the preservation, security, and resilience of the regional transportation system.	<u>No conflict identified.</u> This policy would be implemented by cities and the counties within the SCAG region as part of the overall planning and maintenance of the regional transportation system. The Project would have no adverse effect on such planning or maintenance efforts. This policy provides guidance to the City of Rialto to monitor the transportation network and to coordinate with other agencies as appropriate. The Project would not conflict with the City’s transportation network or the City’s coordination with other agencies.
4	Increase person and goods movement and travel choices within the transportation system.	<u>No conflict identified.</u> The Project involves development of a warehouse facility within a developing industrial area, along a designated truck route, and in close proximity to the State highway



Table 4.9-1 SCAG's Connect SoCal Goal Consistency Analysis

Goals	Goal Statement	Project Consistency Discussion
		<p>system, which would avoid or shorten truck-trip lengths on other roadways. The proposed warehouse would provide local job opportunities to existing and future residents of the City of Rialto and surrounding area that would be accessible by transit via Route 22 (at Riverside Avenue) and active transportation. The Project would promote an improved quality of life by constructing infill development near several public transit options, which would reduce vehicle trips, vehicle miles traveled, and air pollution. The Project would construct frontage improvements, including sidewalks which would encourage walking in the Project area.</p>
5	<p>Reduce greenhouse gas emission and improve air quality.</p>	<p><u>No conflict identified.</u> Air quality is addressed in EIR Subsection 4.2, <i>Air Quality</i>, and mitigation measures are specified to reduce the Project's air quality impacts to the maximum feasible extent. Additionally, and as discussed in EIR Section 3.0, <i>Project Description</i>, and Subsections 4.6, <i>Greenhouse Gas Emissions</i>, and 4.4, <i>Energy</i>, the Project would incorporate various measures related to building design, landscaping, and energy systems to promote the efficient use of energy. Additionally, the Project would construct frontage improvements, including sidewalks which would encourage walking in the Project area.</p>
6	<p>Support healthy and equitable communities.</p>	<p><u>No conflict identified.</u> This policy pertains to health and equitable communities, and these issue are addressed through goals and policies outlined in the "Safety and Noise" Chapter of the City's General Plan. Relevant to the Project, the proposed building design would support the health of occupants and users by using non-toxic building materials and finishes, and by using windows to maximize natural light and ventilation. Additionally, and as discussed in EIR Subsection 4.7, <i>Hazards and Hazardous Materials</i>, during Project construction, existing hazardous materials conditions encountered from past and current use of the site that are required to be remediated by law will be remediated, including but not limited to addressing potential soil contamination, removal of underground storage tanks and a septic system, and abatement of asbestos and lead based paint. As such, implementation of the Project would result in an improved environmental condition related to hazardous materials compared to the past and existing condition of the property.</p>
7	<p>Adapt to a changing climate and support an integrated regional development.</p>	<p><u>No conflict identified.</u> <i>Connect SoCal</i> indicates that since the adoption of the <i>Connect SoCal</i>, there have been significant drivers of change in the goods movement industry including emerging and new technologies, more complex supply chain strategies, evolving consumer demands and shifts in trade policies. Warehouse distribution and e-commerce continues to be one of the most influential factors shaping goods</p>



Table 4.9-1 SCAG's Connect SoCal Goal Consistency Analysis

Goals	Goal Statement	Project Consistency Discussion
		movement. The Project involves the redevelopment of the Project Site, historically used for outdoor storage of trailers, construction equipment, and construction materials, with a warehouse facility that would diversify the City of Rialto's economy and bring employment opportunities closer to the local workforce. Co-locating jobs near housing reduces greenhouse gas emissions caused by long commutes and contributes to integrated development patterns.
8	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	<u>No conflict identified.</u> <i>Connect SoCal</i> also indicates that the advancement of automation is expected to have considerable impacts throughout regional supply chains. Notably, warehouses, such as those proposed with the Project, are increasingly integrating automation to improve operational efficiencies in response to the surge in direct-to-consumer e-commerce. Additionally, continued developments and demonstrations of electric-powered and automated truck technologies will alter the goods movement environment with far-reaching effects ranging from employment to highway safety. The Project would meet contemporary industry standards to support advancements in these and other transportation technologies.
9	Encourage development of diverse housing types in areas that are supported by multiple transportation options.	<u>Not applicable.</u> The Project is located in an area designated for employment-generating uses and is not planned for housing.
10	Promote conservation of natural and agricultural lands and restoration of habitats.	<u>Not applicable.</u> The Project Site is completely disturbed and developed under existing conditions and has been so for at least 25 years. The entire Project Site is covered by structures, pavement, gravel, or cleared packed dirt and is used for parking and equipment/materials storage.

Source: (SCAG, 2020a, p. 9)

E SCAQMD Air Quality Management Plan (AQMP)

An analysis of the Project's consistency with the SCAQMD 2016 AQMP is addressed in detail in EIR Subsection 4.2, *Air Quality*. As concluded in EIR Subsection 4.2, implementation of the Project would exceed the growth assumptions assumed in the AQMP (and, thus, contribute air pollution to the SCAB that was not anticipated by the AQMP) and would contribute a volume of pollutants to the SCAB that could delay the attainment of federal and State ozone standards. Mitigation is provided in EIR Subsection 4.2 to reduce the Project's air pollutant emissions to the maximum level feasible, but not below a level of significance. The Project would not result in any other land use and planning conflicts with the 2016 AQMP that were not already disclosed in EIR Subsection 4.2 and, therefore, the Project would not result in any significant impacts relating to consistency with the SCAQMD 2016 AQMP from a land use perspective.



4.9.6 CUMULATIVE IMPACT ANALYSIS

Under existing conditions, the Project Site is physically separated from neighboring land uses by physical barriers (i.e., public roadways, stormwater drainage channels, and fences/walls) and there are no cumulative development projects adjacent to the Project Site (refer to Figure 4.0-1). Furthermore, the Project Site does not abut an established, residential community. Because the Project Site does not directly abut any established communities and there are no cumulative development projects in proximity to the Project Site, there is no potential for the Project to cause or cumulatively contribute to the division of an established community.

The Project’s proposed General Plan Amendment, Specific Plan Amendment, and Variance would eliminate any potential inconsistencies between the Project’s proposed land use and design and the City of Rialto General Plan, Gateway Specific Plan, and Rialto Zoning Ordinance, respectively. As development occurs elsewhere throughout the Rialto and the cumulative study area (the cumulative study area was previously defined in EIR Subsection 4.0.2), such development proposals would be required to comply with all applicable plans, policies, and regulations adopted for the purpose of avoiding or mitigating environmental effects. The Project would not result in any cumulatively-considerable land use and planning conflicts in the context of compliance with applicable environmental plans, policies, and regulations.

4.9.7 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold “a:” No Impact. The Project would not physically divide an established community.

Threshold “b:” Less-than-Significant Impact. The Project’s proposed General Plan Amendment and Specific Plan Amendment would eliminate potential inconsistencies between the proposed on-site land use the site’s existing General Plan and Specific Plan land use designations. In addition, the proposed Variance would eliminate the potential inconsistency between the proposed design and the City’s Zoning Ordinance.

4.9.8 MITIGATION

Impacts would be less than significant; therefore, mitigation would not be required.



4.10 NOISE

This Subsection addresses the environmental issue of noise, including existing noise levels in the Project area and the Project’s potential to introduce new or elevated sources of noise. The analysis contained herein incorporates information contained in a technical report prepared by Urban Crossroads, Inc. titled “Birtcher Logistics Center Rialto Noise Impact Analysis” (Noise Analysis) (Urban Crossroads, 2021b)¹. The technical report is included as *Technical Appendix I* to this EIR. All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.10.1 NOISE FUNDAMENTALS

A Noise Definitions

Noise is simply defined as “unwanted sound.” Sound becomes unwanted when it interferes with normal activities, when it causes physical harm, or when it has adverse effects on health. Because the range of sound that the human ear can detect is large, the scale used to measure sound intensity is based on multiples of 10, the logarithmic scale (Urban Crossroads, 2021b, p. 7). The unit of measure to describe sound intensity is the decibel (dB). A sound increase of 10 dB represents a ten-fold increase in sound energy and is perceived by the human ear as being roughly twice as loud (ibid.). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise sources by discriminating against very low and very high frequencies of the audible spectrum (i.e., frequencies that are not audible to the human ear) (ibid.). The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud) (ibid.). Normal conversation at a distance of three feet is roughly 60 dBA, while a jet engine is 110 dBA at approximately 100 feet (ibid.).

B Noise Descriptors

Environmental noise descriptors are generally based on averages, rather than instantaneous noise levels (Urban Crossroads, 2021b, p. 8). The most commonly used figure is the equivalent continuous noise level (Leq). Leq represents a steady state sound level containing the same total energy as a time varying signal over a given time period (ibid.). Leq values are not measured directly but are calculated from sound pressure levels typically measured in dBA (ibid.). Consequently, Leq can vary depending on the time of day (ibid.).

Peak hour or average noise levels, while useful, do not completely describe a given noise environment. Noise levels lower than peak hour levels may be disturbing if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping) hours. To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours (Urban Crossroads, 2021b, p. 8). The time-of-day corrections require the addition of five (5) dB to sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 dB to sound levels at night between 10:00 p.m. and 7:00 a.m (ibid.). These additions are made to account for the noise sensitive time periods during the evening and nighttime hours when sound appears louder. CNEL does not represent the actual sound level heard at any particular time, but rather represents the total sound exposure (ibid.). The City relies on the 24-hour CNEL level to assess land use compatibility with transportation-related noise sources (ibid.).

¹ Urban Crossroads, 2021. *Birtcher Logistics Center Rialto (MCN2020-0031) Noise Impact Analysis*. October 21, 2021.



C ***Sound Propagation***

When sound propagates over a distance, it changes in level and frequency content. The manner in which noise reduces with distance depends on geometric spreading, ground absorption, atmospheric effects, shielding, and reflection (Urban Crossroads, 2021b, p. 8).

1. ***Geometric Spreading***

Sound from a localized source (i.e., a stationary point source) propagates uniformly outward in a spherical pattern. The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source (Urban Crossroads, 2021b, p. 8). Highways consist of several localized noise sources on a defined path and hence can be treated as a line source, which approximates the effect of several point sources (ibid.). Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading (ibid.). Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source (ibid.).

2. ***Ground Absorption Noise***

To account for the ground-effect attenuation (absorption) of noise, two types of site conditions are commonly used in noise models: soft site and hard site conditions. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receptor, such as a parking lot or body of water), no excess ground attenuation is assumed (Urban Crossroads, 2021b, p. 9). For acoustically absorptive or soft sites (i.e., sites with an absorptive ground surface between the source and the receptor such as soft dirt, grass, or scattered bushes and trees), an excess ground attenuation value of 1.5 dB per doubling of distance is normally assumed (ibid.).

3. ***Atmospheric Effects***

Receptors located downwind from a noise source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels (Urban Crossroads, 2021b, p. 9). Other factors that may affect noise levels include air temperature, humidity, and turbulence (ibid.).

4. ***Shielding***

A large object or barrier in the path between a noise source and a receptor can substantially attenuate noise levels at the receptor. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Solid objects or barriers are most effective at attenuating noise levels (Urban Crossroads, 2021b, p. 9). Effective noise barriers can reduce noise levels by 10 to 15 dBA. Noise barriers, however, do have limitations (ibid.). For a noise barrier to work, it must be high enough and long enough to block the path of the noise source (ibid.).

5. ***Reflection***

Field studies conducted by the Federal Highway Administration (FHWA) have shown that the reflection from barriers and buildings does not substantially increase noise levels (Urban Crossroads, 2021b, p. 9). If all the noise striking a structure was reflected back to a given receiving point, the increase would be theoretically limited to 3 dBA (ibid.). Further, not all the acoustical energy is reflected back to same point. Some of the energy would go over the structure, some is reflected to points other than the given receiving point, some is



scattered by ground coverings (e.g., grass and other plants), and some is blocked by intervening structures and/or obstacles (e.g., the noise source itself) (ibid.). Additionally, some of the reflected energy is lost due to the longer path that the noise must travel (ibid.). FHWA measurements made to quantify reflective increases in traffic noise have not shown an increase of greater than 1-2 dBA; an increase that is not perceptible to the average human ear (ibid.).

D Response to Noise

Approximately 10% of the population has a very low tolerance for noise and will object to any noise not of their own making (Urban Crossroads, 2021b, p. 10). Consequently, even in the quietest environment, some complaints will occur. Another 25% of the population will not complain even in very severe noise environments (ibid.). Thus, a variety of reactions can be expected from people exposed to any given environment. Despite this variability in behavior on an individual level, the population as a whole can be expected to exhibit the following responses to changes in noise levels: an increase of 1 dBA cannot be perceived except in carefully controlled laboratory experiments; a change of 3 dBA is considered “barely perceptible;” and a change of 5 dBA is considered “readily perceptible” (ibid.).

E Vibration

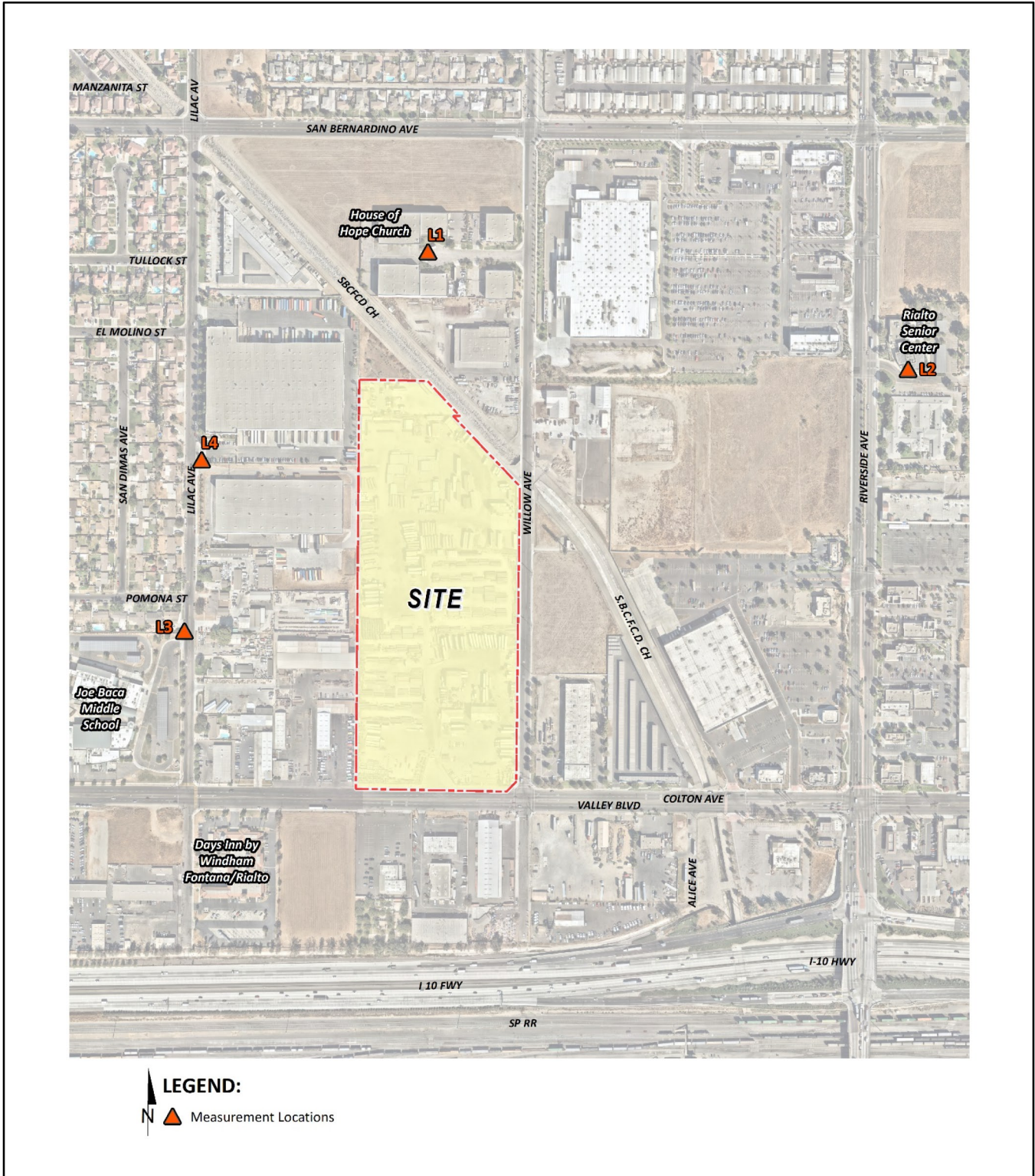
Vibration is the periodic oscillation of a medium or object. Sources of groundborne vibration include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, groundborne vibrations may be described by amplitude and frequency. Vibration is often described in units of velocity (inches per second) and decibels (dB) and is denoted as VdB.

The background vibration-velocity level in residential areas is generally 50 VdB (Urban Crossroads, 2021b, p. 12). Groundborne vibration is normally perceptible to humans at approximately 65 VdB (ibid.). For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels (ibid.).

4.10.2 EXISTING NOISE CONDITIONS

A Existing Study Area Ambient Noise Conditions

Urban Crossroads recorded 24-hour noise readings at four (4) locations near the Project Site on June 9, 2021 (Urban Crossroads, 2021b, p. 21). The existing ambient noise levels in the vicinity of the Project Site are dominated by traffic noise associated with automobiles and truck traffic on the local arterial roadway network (ibid.). The noise measurement locations are identified in Figure 4.10-1, *Noise Measurement Locations*. The results of the existing noise level measurements are summarized below. Refer to Appendix 5.2 of the Project’s Noise Analysis for the noise measurement worksheets used by Urban Crossroads to calculate the noise levels, including a summary of the hourly noise levels and the minimum and maximum observed noise levels at each measurement location.



Source(s): Urban Crossroads (06-17-2021)

Figure 4.10-1



Not to Scale



Noise Measurement Locations



- **Location L1** represents the noise levels north of the Project Site near the House of Hope Church located at 327 West Tullock Street (Urban Crossroads, 2021b, p. 22). The energy (logarithmic) average daytime noise level was calculated at 57.6 dBA Leq with an average nighttime noise level of 53.4 dBA Leq (ibid.).
- **Location L2** represents the noise levels east of the Project Site near the Rialto Senior Center located at 1401 South Riverside Avenue (Urban Crossroads, 2021b, p. 22). The energy (logarithmic) average daytime noise level was calculated at 60.7 dBA Leq with an average nighttime noise level of 57.2 dBA Leq (ibid.).
- **Location L3** represents the noise levels west of the Project Site near Joe Baca Middle School located at 1640 South Lilac Avenue. The energy (logarithmic) average daytime noise level was calculated at 61.6 dBA Leq with an average nighttime noise level of 56.6 dBA Leq (ibid.).
- **Location L4** represents the noise levels west of the Project Site near an existing residential home located at 1480 South Lilac Avenue (Urban Crossroads, 2021b, p. 22). The energy (logarithmic) average daytime noise level was calculated at 60.6 dBA Leq with an average nighttime noise level of 56.6 dBA Leq (ibid.).

B Existing Groundborne Vibration

Based on the nature of the existing uses on the Project Site, there are no sources of groundborne vibration on the Project Site under existing conditions because no heavy machinery is used on the Site.

C Existing Airport Noise

The Project Site is not located within two miles of a public airport or within an airport land use compatibility plan. The nearest airport to the Project Site is the San Bernardino International Airport, located approximately 6.6 miles northeast of the Project Site (Urban Crossroads, 2021b, p. 17).

4.10.3 REGULATORY SETTING

The following is a brief description of the federal, State, and local environmental laws and regulations related to noise that are applicable to the Project, the Project Site, and/or the surrounding area.

A Federal Plans, Policies, and Regulations

1. Noise Control Act of 1972

The Noise Control Act of 1972 establishes a national policy to promote an environment for all Americans free from noise that jeopardizes their health and welfare. The Act also serves to (1) establish a means for effective coordination of federal research and activities in noise control; (2) authorize the establishment of federal noise emission standards for products distributed in commerce; and (3) provide information to the public respecting the noise emission and noise reduction characteristics of such products (EPA, 2020h)².

² Environmental Protection Agency, 2020. *Summary of the Noise Control Act*. <https://www.epa.gov/laws-regulations/summary-noise-control-act>.



While primary responsibility for control of noise rests with State and local governments, federal action is essential to deal with major noise sources in commerce, control of which require national uniformity of treatment. The U.S. EPA is directed by Congress to coordinate the programs of all federal agencies relating to noise research and noise control.

2. Federal Transit Administration

The Federal Transit Administration (FTA) published a Noise and Vibration Impact Assessment (NVIA), which provides guidance for preparing and reviewing the noise and vibration sections of environmental documents (FTA, 2006, p. 1-1)³. In the interest of promoting quality and uniformity in assessments, the manual is used by project sponsors and consultants in performing noise and vibration analyses for inclusion in environmental documents. The manual sets forth the methods and procedures for determining the level of noise and vibration impact resulting from most federally-funded transit projects and for determining what can be done to mitigate such impact.

3. Federal Highway Administration

The FHWA is the agency responsible for administering the federal-aid highway program in accordance with federal statutes and regulations. The FHWA developed the noise regulations as required by the Federal-Aid Highway Act of 1970 (Public Law 91-605, 84 Stat. 1713). The regulation, 23 CFR 772 Procedures for Abatement of Highway Traffic Noise and Construction Noise, applies to highway construction projects where a State department of transportation has requested federal funding for participation in the project (FHWA, 2017)⁴. The regulation requires the highway agency to investigate traffic noise impacts in areas adjacent to federally-aided highways for proposed construction of a highway on a new location or the reconstruction of an existing highway to either significantly change the horizontal or vertical alignment or increase the number of through-traffic lanes. If the highway agency identifies impacts, it must consider abatement. The highway agency must incorporate all feasible and reasonable noise abatement into the project design.

The FHWA regulations for mitigation of highway traffic noise in the planning and design of federally aided highways are contained in Title 23 of the United States Code of Federal Regulations Part 772. The regulations contain noise abatement criteria, which represent the upper limit of acceptable highway traffic noise for different types of land uses and human activities. The regulations do not require meeting the abatement criteria in every instance. Rather, they require highway agencies make every reasonable and feasible effort to provide noise mitigation when the criteria are approached or exceeded. Compliance with the noise regulations is a prerequisite for the granting of federal-aid highway funds for construction or reconstruction of a highway.

4. Construction-Related Hearing Conservation

The Occupational Safety and Health Administration (OSHA) hearing conservation program is designed to protect workers with significant occupational noise exposures from hearing impairment even if they are subject to such noise exposures over their entire working lifetimes (OSHA, 2002)⁵. Standard 29 CFR, Part 1910

³ Federal Transit Administration, 2006. *Transit Noise and Vibration Impact Assessment*. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf.

⁴ Federal Highway Administration, 2017. *Highway Traffic Noise*. <https://www.fhwa.dot.gov/environment/noise/>.

⁵ Occupational Safety and Health Administration, 2002. *Hearing Conservation*. <https://www.osha.gov/Publications/osha3074.pdf>.



indicates the noise levels under which a hearing conservation program is required to be provided to workers exposed to high noise levels.

B State Plans, Policies, and Regulations

1. State of California Noise Requirements

The State regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires that each county and city in the State of California adopt a General Plan that includes a Noise Element, which is to be prepared according to guidelines adopted by the Governor’s Office of Planning and Research. The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels.

2. Building Standards Code

The State of California’s noise insulation standards are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 2, and the California Building Standards Code. These noise standards are applied to new construction in California for the purpose of controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are developed near major transportation noise sources, and where such noise sources create an exterior noise level of 60 dBA CNEL or higher. Acoustical studies that accompany building plans for noise-sensitive land uses must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new residential buildings, schools, and hospitals, the acceptable interior noise limit for new construction is 45 dBA CNEL.

3. OPR General Plan Guidelines

Though not adopted by law, the 2017 California General Plan Guidelines, published by the California Governor’s OPR, provides guidance for local agencies in preparing or updating General Plans. The Guidelines provide direction on the required Noise Element portion of the General Plans (OPR, 2017a, pp. 131-132)⁶. The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels. The OPR Guidelines state that General Plan policies and standards must be sufficient to serve as a guideline for compliance with sound transmission control requirements, and directly correlate to the Land Use, Circulation, and Housing Elements. The Guidelines also state that the Noise Element must be used to guide decisions concerning land use and the location of new roads and transit facilities since these are common sources of excessive noise levels. The City’s General Plan addresses the topic of noise in the City’s General Plan Safety and Noise Element. Refer below for a discussion of the City’s General Plan.

C Local Plans, Policies, and Regulations

1. City of Rialto General Plan

The City’s General Plan addresses the topic of Noise in General Plan Chapter 5 (Safety and Noise). In particular, noise is addressed by Policies 5-10.2, 5-10.5, and 5.11-3. For example, Policy 5-10.2 requires the

⁶ Office of Planning and Research, 2017. *State of California General Plan 2017 Guidelines*. http://www.opr.ca.gov/docs/OPR_COMPLETE_7.31.17.pdf.



development review process to consider noise impacts, particularly the location of parking, ingress/egress/loading, and refuse collection areas relative to surrounding residential development and other noise-sensitive land uses (Rialto, 2010a, p. 5-28). Policy 5-10.5 requires all exterior noise sources to use available noise suppression devices and techniques to reduce exterior noise to acceptable levels that are compatible with adjacent land uses (ibid). Policy 5-11.3 requires development of truck-intensive uses to minimize noise impacts on adjacent uses through appropriate site design (ibid).

2. City of Rialto Municipal Code

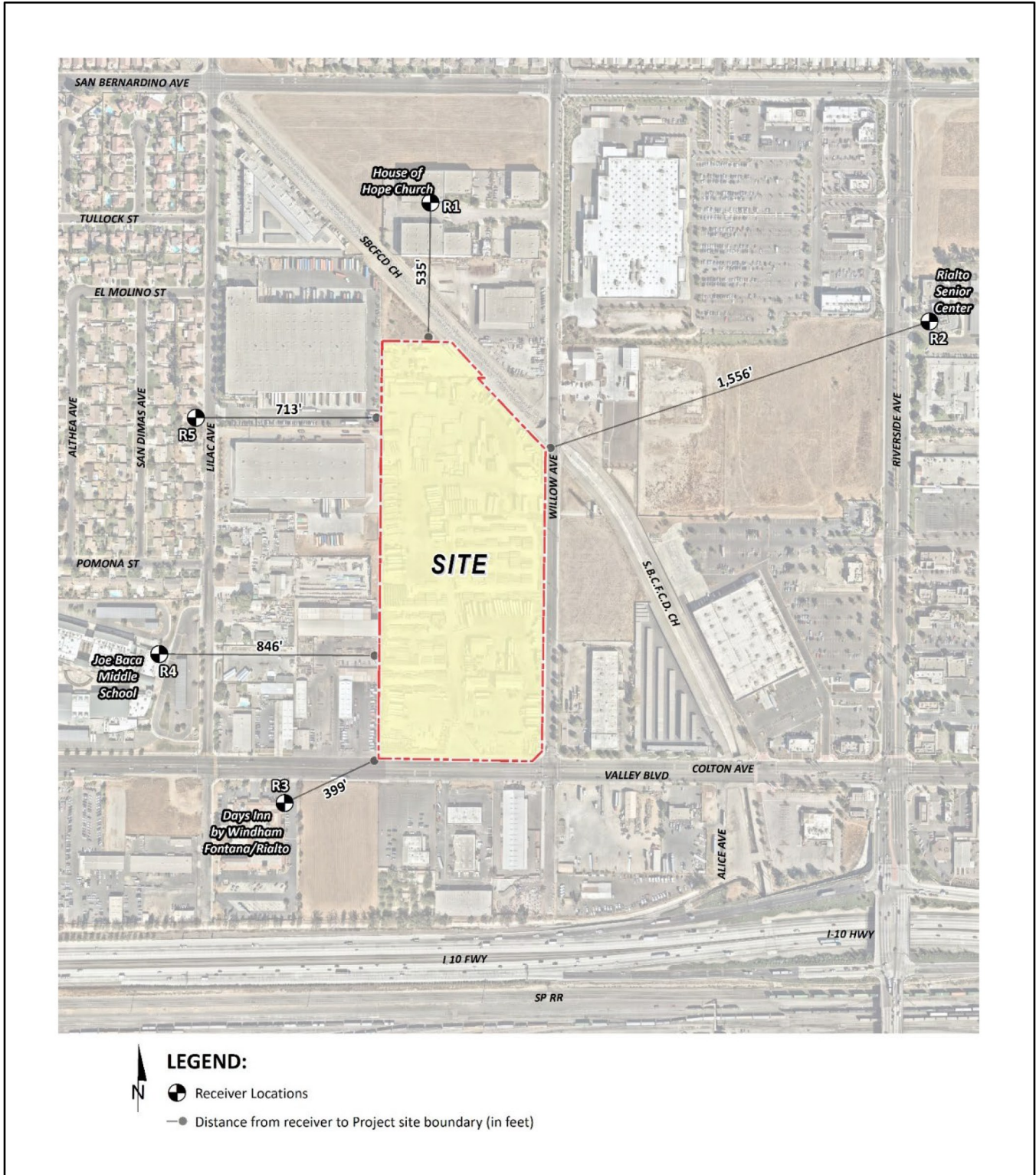
The Rialto Municipal Code, Section 9.50.070, states that construction activities are permitted between the hours of 7:00 a.m. to 5:30 p.m. Monday through Friday from October 1st to April 30th, 6:00 a.m. to 7:00 p.m. Monday through Friday from May 1st to September 30th, and 8:00 a.m. to 5:00 p.m. on Saturdays any time of year; with no activity allowed on Sundays or state holidays (Rialto, 2021). The Rialto Municipal Code does not establish exterior noise standards for specific land uses but does generally prohibit loud, unnecessary, unnatural or unusual noises that are prolonged, unusual, annoying, disturbing and unnatural in their time, place and use are a detriment to public health, comfort, convenience, safety, general welfare and the peace and quiet of the city and its inhabitants (Municipal Code Section 9.50.030) and prohibits certain noisy activities – such as the use of pile drivers, pneumatic hammers, compressors, gasoline powered leaf blowers, etc. – between the hours of 8:00 p.m. and 7:00 a.m. (Municipal Code Section 9.50.050)(ibid.).

4.10.4 METHODOLOGY FOR CALCULATING PROJECT-RELATED NOISE IMPACTS

A Construction Noise Analysis Methodology

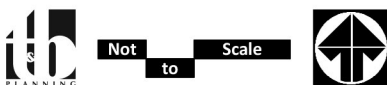
For the construction noise analysis, reference noise level measurements are relied upon that Urban Crossroads collected with calibrated noise monitoring meters at construction sites in southern California. The reference noise level measurements included the types of construction equipment that would be used on the Project Site performing similar types of construction activities at a similar level of activity/intensity as is expected to occur on the Project Site. Table 4.10-1, *Construction Reference Noise Levels*, provides a summary of the reference noise level measurements, based on published data. All construction noise level measurements presented in Table 4.10-1 were normalized by Urban Crossroads to describe a common reference distance of 50 feet (Urban Crossroads, 2021b, p. 57).

The construction noise analysis evaluates Project construction-related noise levels at the closest nearby receiver locations in the Project study area. Five representative receiver locations were considered in the construction noise analysis, including a church, senior center, hotel, middle school, and an existing residence. The receiver locations used in the construction noise analysis are shown on Figure 4.10-2, *Noise Receiver Locations*. The modeled noise-sensitive receiver locations are representative of existing receptors nearest the Project Site. It is not necessary to study every single receiver location surrounding Project’s construction area because receivers located at a similar distance from Project-related construction activities with similar ground elevations, orientation, and intervening physical conditions as the modeled receptor locations would experience the same or very similar noise effects as those disclosed herein, and those at a greater distance would experience lesser noise effects.



Source(s): Urban Crossroads (06-17-2021)

Figure 4.10-2



Not to Scale

Noise Receiver Locations



Table 4.10-1 Construction Reference Noise Levels

Construction Stage	Reference Construction Activity¹	Reference Noise Level @ 50 Feet (dBA L_{eq})¹	Combined Noise Level (dBA L_{eq})²
Demolition	Demolition Equipment	69	73
	Backhoes	61	
	Hauling Trucks	71	
Site Preparation	Crawler Tractors	77	79
	Hauling Trucks	71	
	Rubber Tired Dozers	71	
Grading	Graders	79	79
	Excavators	64	
	Compactors	67	
Building Construction	Cranes	67	74
	Tractors	72	
	Welders	65	
Paving	Pavers	70	74
	Paving Equipment	69	
	Rollers	69	
Architectural Coating	Cranes	67	72
	Air Compressors	67	
	Generator Sets	67	

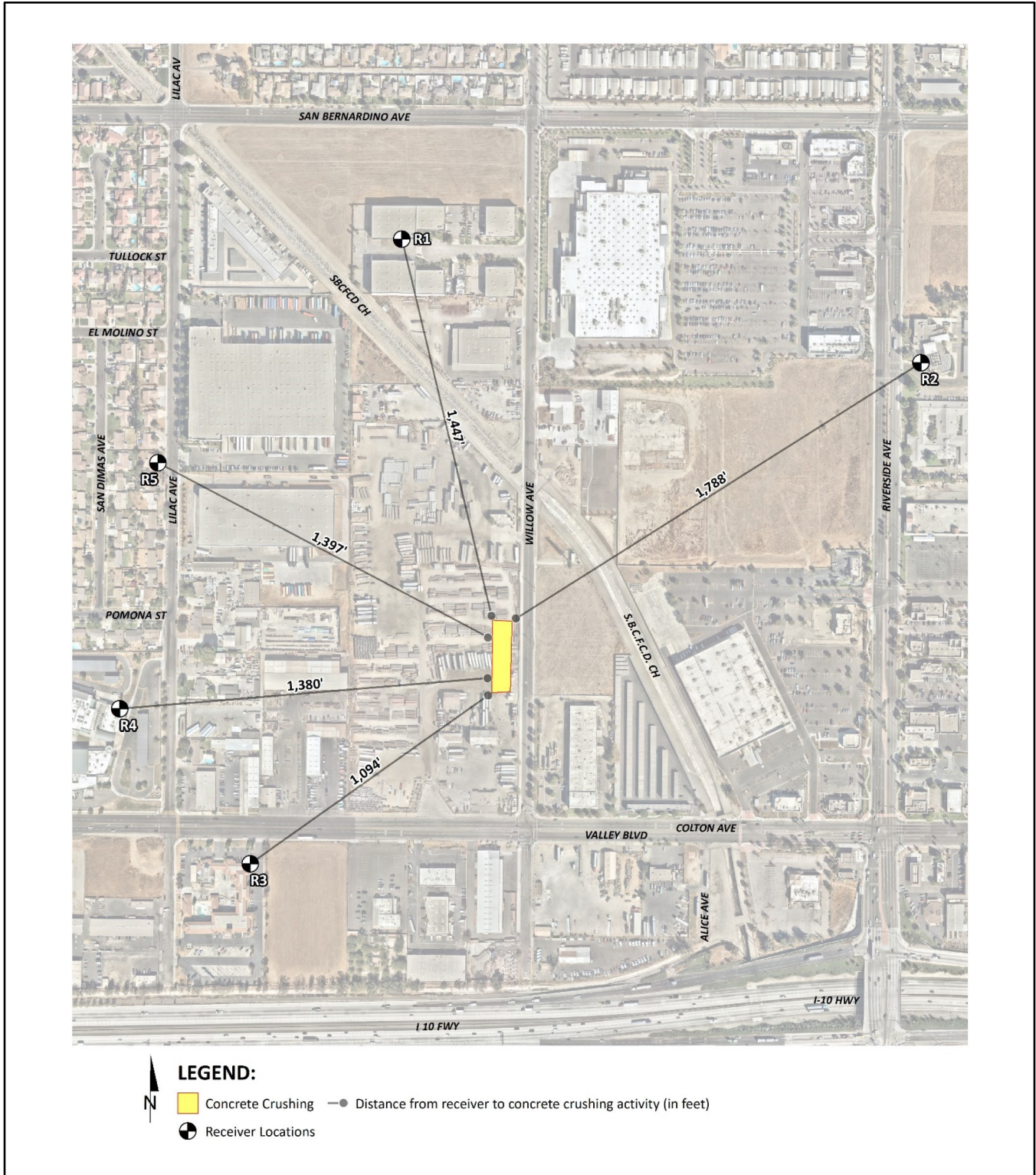
¹Update of Noise Database for Prediction of Noise on Construction and Open Sites by the Department for Environment, Food and Rural Affairs (DEFRA) expressed in hourly average L_{eq} based on estimated usage factors from the FHWA Roadway Construction Noise Model (RCNM).

²Represents the combined noise level for all equipment assuming they operate at the same time consistent with FTA Transit Noise and Vibration Impact Assessment guidance for general construction noise assessment.

Source: (Urban Crossroads, 2021b, Table 10-1)

B Concrete Crushing Analysis Methodology

An additional analysis was completed to assess potential noise level impacts due to concrete crushing activities planned near the eastern Project Site boundary on Willow Avenue. Figure 4.10-3, *Concrete Crushing Noise Source Locations*, shows the location of the planned concrete crushing activity area in relation to the nearest receiver locations. The concrete crushing construction noise analysis was prepared using reference construction equipment noise levels published in the *Update of Noise Database for Prediction of Noise on Construction and Open Sites* by the Department for Environment, Food and Rural Affairs (DEFRA). Table 4.10-2, *Concrete Crushing Construction Reference Noise Levels*, provides a summary of the reference average Leq noise levels used to describe concrete crushing construction activities. Because the reference noise measurements were collected at varying distances, all concrete crushing construction noise level measurements presented in Table 4.10-2 were normalized by Urban Crossroads to describe a common reference distance of 50 feet.



Source(s): Urban Crossroads (10-21-2021)

Figure 4.10-3



Not to Scale



Concrete Crushing Construction
Reference Noise Levels



Table 4.10-2 Concrete Crushing Construction Reference Noise Levels

Construction Stage	Reference Construction Activity ¹	Reference Noise Level @ 50 Feet (dBA L _{eq}) ¹	Combined Noise Level (dBA L _{eq}) ²
Concrete Crushing	Impact Hammer (hoe ram)	83	84
	Front End Loader	75	
	Dump Truck	72	

¹FHWA's Roadway Construction Noise Model, January 2006.

²Represents the combined noise level for all equipment assuming they operate at the same time consistent with FTA Transit Noise and Vibration Impact Assessment guidance for general construction noise assessment.

Source: (Urban Crossroads, 2021b, Table 10-6)

The reference noise level summary describes construction activity noise levels with multiple pieces of concrete construction equipment operating simultaneously and includes source noise levels for a hoe ram or breaker representing a percussion hammer fitted to an excavator for breaking concrete. A default ground attenuation factor of 0.5 was used in the Computer Aided Noise Abatement (Cadena) noise prediction model to account for mixed ground representing a combination of hard and soft surfaces.

C Stationary Noise Analysis Methodology

To estimate the Project operational noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels expected with the development of the proposed Project. While sound pressure levels (e.g., L_{eq}) quantify in decibels the intensity of given sound sources at a reference distance, sound power levels (L_w) are connected to the sound source and are independent of distance. Sound pressure levels vary substantially with distance from the source and diminish because of intervening obstacles and barriers, air absorption, wind, and other factors. Sound power is the acoustical energy emitted by the sound source and is an absolute value that is not affected by the environment. The reference Project operational sound power levels are summarized below (Urban Crossroads, 2021b, p. 57).

- Loading Dock Activity: 112 dBA L_w based on reference noise level measurements collected by Urban Crossroads, Inc. This includes truck idling, deliveries, backup alarms, trailer docking including a combination of tractor trailer semi-trucks, two-axle delivery trucks, and background operation activities.
- A/C Condenser Units: Represents a Lennox SCA120 series 10-ton model packaged air conditioning unit with a reference sound power level of 89 dBA L_w.
- Parking Lot Vehicle Movements: 79 dBA L_w based on reference noise level measurements of warehouse parking lot vehicle activity collected by Urban Crossroads, Inc.
- Trash Enclosure Activity: 89 dBA L_w based on reference noise level measurements of trash enclosure event activity collected by Urban Crossroads, Inc.
- Truck Movements: 93 dBA L_w based on reference noise level measurements of truck movements collected by Urban Crossroads, Inc. This includes trucks entering and exiting the driveways and maneuvering in and out of the outdoor loading dock activity area.



D Transportation-Related Noise Analysis Methodology

Transportation-related noise impacts were projected using a computer program that replicates the FHWA Traffic Noise Prediction Model FHWA-RD-77-108 (the “FHWA Model”) (Urban Crossroads, 2021b, p. 25). The FHWA Model arrives at a predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL). In California, the national REMELs are substituted with the California Vehicle Noise (Calveno) Emission Levels. Adjustments are then made to the REMELs to account for: 1) roadway classification (e.g., collector, secondary, major or arterial), 2) roadway travel width (i.e., the distance between the center of the outermost travel lanes on each side of the roadway), 3) total average daily traffic (ADT), 4) travel speed, 5) percentages of automobiles, medium trucks, and heavy trucks in the traffic volume, 6) roadway grade, 7) angle of view (e.g., whether the roadway view is blocked), 8) site conditions ("hard" or "soft" relates to the absorption of the ground, pavement, or landscaping), and 9) percentage of total ADT that flows each hour throughout a 24-hour period (ibid.).

Table 4.10-3, *Roadway Parameters*, presents the FHWA Model roadway parameters used by Urban Crossroads for each of the five roadway segments in the Project study area. For the purpose of the off-site analysis, soft site conditions were used to analyze the traffic noise impacts on each roadway segment in the study area because landscaping typically exists between the street surface and the noise receiver.

Table 4.10-3 Roadway Parameters

ID	Roadway	Segment	Receiving Land Use¹	Distance from Centerline to Receiving Land Use (Feet)²	Vehicle Speed (mph)³
1	Willow Av.	n/o Valley Bl.	Non-Sensitive	32'	40
2	Riverside Av.	s/o Valley Bl.	Non-Sensitive	60'	40
3	Valley Bl.	w/o Dwy. 1	Non-Sensitive	60'	40
4	Valley Bl.	e/o Willow Av.	Non-Sensitive	60'	40
5	Valley Bl.	e/o Riverside Av.	Non-Sensitive	60'	40

¹ Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

² Distance to receiving land use is based upon the right-of-way distances.

³ Birtcher Logistics Center Rialto (MC2020-0031) Traffic Analysis, Urban Crossroads, Inc. (see EIR *Technical Appendix K*)

Source: (Urban Crossroads, 2021b, Table 6-1)

To quantify transportation-related noise levels, the vehicular trips associated with the Project were assigned to the five roadway segments, using the trip distribution and vehicle mix information contained in the Project’s traffic impact analysis prepared by Urban Crossroads, Inc. (refer to *Technical Appendix K*) (Urban Crossroads, 2021b, p. 26).

E Vibration

Vibration levels were predicted using reference vibration levels and logarithmic equations contained in the Federal Transit Administration’s (FTA) 2018 publication: “Transit Noise and Vibration Impact Assessment” (Urban Crossroads, 2021b, p. 51). The vibration source levels for Project construction equipment are summarized in Table 4.10-4, *Vibration Source Levels for Construction Equipment*.



Table 4.10-4 Vibration Source Levels for Construction Equipment

Equipment	PPV (in/sec) at 25 feet
Small bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Large bulldozer	0.089
Hoe Ram (Breaker)	0.089

Source: (Urban Crossroads, 2021b, Table 10-4)

4.10.5 BASIS FOR DETERMINING SIGNIFICANCE

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse noise-related effects that could result from development projects. The Project would result in a significant noise impact if the Project or any Project-related component would result in:

- a. *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;*
- b. *Generation of excessive groundborne vibration or groundborne noise levels; or*
- c. *For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.*

In relation to Threshold “a,” Project-related construction activities would be subject to the applicable noise standards established by the City’s General Plan and Municipal Code. However, neither the General Plan nor the Municipal Code define the levels at which a development project’s temporary noise is considered substantial or excessive. Accordingly, a numerical construction threshold based on FTA *Transit Noise and Vibration Impact Assessment Manual* is used for analysis of daytime construction impacts. Based on the FTA guidance, the Project would result in a significant temporary noise impact pursuant to Threshold “a” if Project-related construction activities create a noise level of 80 dBA Leq during the daytime hours or a noise level of 70 dBA Leq during nighttime non-daylight (“nighttime”) hours (Urban Crossroads, 2021b, p. 16). “Daytime” hours are defined by the City’s Municipal Code as 7:00 a.m. to 5:30 p.m. Monday through Friday from October 1st to April 30th; 6:00 a.m. to 7:00 p.m. Monday through Friday from May 1st to September 30th; and 8:00 a.m. to 5:00 p.m. on Saturdays any time of the year.

In relation to Threshold “a,” Project-related operational activities would be subject to the applicable noise standards established by the City of Rialto General Plan and Municipal Code. However, neither the General Plan nor the Municipal Code define the levels at which a development project’s permanent noise is considered substantial or excessive. Under Threshold “a,” CEQA requires that consideration be given to the to the magnitude of the increase, the existing ambient noise levels, and the location of sensitive receptors in order to determine if a noise increase represents a substantial increase and thus a significant adverse environmental impact. For purposes of this EIR, the metric used to evaluate the significance of the Project’s increase in ambient noise levels is adapted from the noise exposure criteria established by the Federal Interagency



Committee on Noise (FICON). A detailed discussion of the FICON noise exposure criteria is provided in Subsection 4.2 of the Project’s Noise Analysis. Accordingly, in consideration of the FICON noise exposure criteria, the Project would result in a significant noise impact during operation if any of the following conditions occur:

Project operational activities would result in a significant impact if:

- Operational (stationary-source) noise levels exceed the operational noise exceeds the levels allowed at noise-sensitive receptor locations by the San Bernardino County Code, Title 8 Development Code, Section 83.01.080(c): 55 dBA Leq during the daytime hours (7:00 a.m. to 10:00 p.m.) and/or 45 dBA Leq during the nighttime hours (10:01 p.m. to 6:59 a.m.) [*Note: Because the City of Rialto Municipal Code does not establish numerical operational noise standards for noise-sensitive receptor locations, this analysis relies on noise standards from the San Bernardino County Code.*]; or
- Project-related operations exposes noise-sensitive receptors to:
 - A 5 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise level is less than 60 dBA CNEL;
 - A 3 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise level is between 60 and 65 dBA CNEL; or
 - A 1.5 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise levels exceeds 65 dBA CNEL.

Project-related traffic noise would result in a significant impact if:

- Project related traffic noise exceeds the levels established in the Federal Interagency Committee on Noise (FICON)/noise compatibility criteria, found in Exhibit 5.5 of the City of Rialto General Plan Safety Noise Element as follows traffic on the roadway system exposes noise sensitive receptors (including residential homes) to:
 - A 5 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise level is less than 60 dBA Leq;
 - A 3 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise level is between 60 and 65 dBA Leq; or
 - A 1.5 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise levels exceeds 65 dBA CNEL.
- If off-site Project-related traffic on the roadway system exposes non-noise-sensitive receptors to:
 - A 5 dBA or greater noise level increase at non-noise-sensitive receptors when the existing ambient noise level is less than 70 dBA CNEL; or
 - A 3 dBA or greater noise level increase at non-noise sensitive receptors when the existing ambient noise level is greater than 70 dBA CNEL.



In relation to Threshold “b,” the Rialto Municipal Code does not define the numeric level at which a development project’s vibration levels are considered “excessive.” For purposes of this EIR, the metric used to evaluate whether the Project’s vibration levels are considered “excessive” during either construction or operation is used from Section 83.01.090(a) of the County of San Bernardino Development Code. Accordingly, in consideration of the Development Code, for evaluation under Threshold “b,” vibration levels are considered significant if Project-related activities would create or cause to be created any vibration activity that would exceed 0.2 peak particle velocity (PPV) in/sec.

4.10.6 IMPACT ANALYSIS

Threshold “a:” Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The analysis presented on the following pages summarizes the Project’s potential construction noise levels and operational noise levels, including operational noise that would be generated on-site as well as off-site noise on the roadway system that would be generated by the Project’s traffic. The detailed noise calculations for the analysis presented here are provided in Appendices 7.1 through 10.2 of the Project’s Noise Analysis.

A Short-Term Construction Noise Impact Analysis

Construction activities on the Project Site would proceed in six (6) stages: 1) demolition; 2) site preparation; 3) grading; 4) building construction; 5) paving; and 6) application of architectural coatings. These activities would create temporary periods of noise when heavy construction equipment (i.e., bulldozer, trucks, concrete mixer, portable generators, power tools) is in operation and would cause a short-term increase in ambient noise levels. The Project construction noise levels at nearby receiver locations are summarized in Table 4.10-5, *Project Construction Noise Levels - Daytime*.

Table 4.10-5 Project Construction Noise Levels – Daytime

Receiver Location ¹	Construction Noise Levels (dBA L _{eq})		
	Highest Construction Noise Levels ²	Threshold ³	Threshold Exceeded? ⁴
R1	65.2	80	No
R2	60.2	80	No
R3	66.6	80	No
R4	64.9	80	No
R5	65.5	80	No

¹Noise receiver locations are shown on Figure 4.10-2

²Highest construction noise level calculations based on distance from the construction noise source activity to the nearest receiver locations as shown on Table 10-2 from the Project’s Noise Analysis (see *Technical Appendix D*).

³Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual.

⁴Do the estimated Project construction noise levels exceed the construction noise level threshold?

Source: (Urban Crossroads, 2021b, Table 10-3)



As shown on Table 4.10-5, the Project’s daytime construction noise levels are expected to range from 60.2 to 66.6 dBA Leq at the nearby receiver locations. Because Project-related daytime construction activities would not exceed the significance threshold established by the FTA and relied on in this EIR (80 dBA Leq), impacts would be less than significant.

As noted in EIR Section 3.0, *Project Description* there is the potential during the Project’s construction phase that concrete pouring could occur during nighttime hours. Any concrete pouring activities would only occur within the building footprint and would comprise pours for the building foundation and/or wall panels. As shown in Table 4.10-6, *Project Construction Noise Levels – Nighttime*, nighttime construction noise levels would not exceed 52.5 dBA Leq at nearby receiver locations. Because Project-related daytime construction activities would not exceed the significance threshold established by the FTA and relied on in this EIR (70 dBA Leq), impacts would be less than significant.

Table 4.10-6 Project Construction Noise Levels – Nighttime

Receiver Location ¹	Construction Noise Levels (dBA Leq)		
	Paving Construction ²	Nighttime Threshold ³	Threshold Exceeded? ⁴
R1	52.5	70	No
R2	48.7	70	No
R3	51.2	70	No
R4	48.6	70	No
R5	49.5	70	No

¹Noise receiver locations are shown on Figure 4.10-2

²Paving construction noise level calculations based on distance from the construction noise source activity to nearby receiver locations.

³Exterior noise level standards as shown on Table 4-1 from the Project’s Noise Analysis (see *Technical Appendix I*).

⁴Do the estimated Project construction noise levels exceed the nighttime construction noise level threshold?

Source: (Urban Crossroads, 2021b, Table 10-9)

B Short-Term Concrete Crushing Construction Noise Impact Analysis

Concrete crushing is proposed to occur on the Project Site during construction so that existing concrete on the Project Site can be re-used as a base material during Project construction and to minimize the hauling (and consumption) of new, raw construction materials to the Project Site. Concrete crushing equipment would be staged on the eastern portion of the Project Site, adjacent to Willow Avenue. The analysis below addresses potential construction-related noise effects from concrete crushing.

Using the reference DEFRA construction equipment noise levels and the CadnaA noise prediction model, concrete crushing noise levels were calculated at sensitive noise receive locations nearest to the Project Site. The noise receive locations for the concrete crushing noise analysis were the same locations used for the Project construction analysis described above. To assess the worst-case construction noise levels, the analysis reports the highest noise level impacts when the equipment with the highest reference noise level is operating at the closest point from the Project Site boundary, and thus the closest distance to sensitive receivers. The noise levels from the proposed concrete crushing activities at receiver locations are summarized in Table 4.10-7, *Concrete Crushing Construction Noise Levels*. As shown on Table 4.10-7, none of the receiver locations



located near the Project Site would be exposed to noise levels that exceed the applicable limits established by the FTA, and relied on in this EIR as the applicable threshold of significance. Accordingly, the Project’s concrete crushing construction noise impact would be less than significant and no mitigation is required.

Table 4.10-7 Concrete Crushing Construction Noise Levels

Receiver Location ¹	Construction Noise Levels (dBA L _{eq})		
	Concrete Crushing ²	Daytime Threshold ³	Threshold Exceeded? ⁴
R1	50.5	80	No
R2	48.8	80	No
R3	53.0	80	No
R4	51.5	80	No
R5	51.3	80	No

¹ Noise receiver locations are shown on Figure 4.10-2

² Concrete crushing noise level calculations provided in Appendix 10.2 of the Project’s Noise Analysis (see EIR *Technical Appendix I*)

³ Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual.

⁴ Do the estimated Project construction noise levels exceed the daytime construction noise level threshold?

Source: (Urban Crossroads, 2021b, Table 10-7)

C Operational Noise Impact Analysis – Stationary Noise

Stationary (on-site) noise sources associated with long-term Project operation are expected to include idling trucks, delivery truck and automobile parking, delivery truck backup alarms, roof-top air conditioning units, loading and unloading of dry goods, and parking lot vehicle movements. The Project also is expected to generate noise during the loading and unloading of delivery trailers on-site.

Project-related stationary noise levels were calculated at five representative receptor locations located near the Project Site (i.e., Receptors R1, R2, R3, R4, and R5) previously shown on Figure 4.10-2. As discussed under Subsection 4.10.4A, it is not necessary to study every single receptor location surrounding the Project Site because receptors located at similar distances from the noise source with similar ground elevations, orientation, and intervening physical conditions (e.g., walls, landscaping) as the five modeled receptor locations would experience the same or very similar noise levels to those disclosed herein. The daytime and nighttime Project stationary noise levels at nearby receptor locations is summarized in Table 4.10-8, *Project Operational (Stationary) Noise*.

As shown in Table 4.10-8, none of the sensitive receptor locations near the Project Site would be exposed to noise levels that exceed the applicable limits established by the County of San Bernardino Development Code. Additionally, Project-related operational noise would generate daytime and nighttime operational noise level increases ranging from 0.0 to 0.3 dBA; these noise levels would not be perceptible and would not exceed the FICON noise criteria (Urban Crossroads, 2021b, pp. 18, 48-49). Accordingly, the Project’s operational noise impact would be less than significant and no mitigation would be required.



Table 4.10-8 Project Operational (Stationary) Noise

Receiver Location ¹	Project Operational Noise Levels (dBA Leq) ²		Noise Level Standards (dBA Leq) ³		Threshold Exceeded? ⁴	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	39.1	38.2	55	45	No	No
R2	26.8	25.6	55	45	No	No
R3	45.3	44.3	55	45	No	No
R4	45.6	44.6	55	45	No	No
R5	45.1	44.0	55	45	No	No

¹ See Figure 4.10-2 for receiver locations.

² Proposed Project operational noise levels as shown on Tables 9-1 and 9-2 of the Project’s Noise Analysis (see EIR *Technical Appendix I*).

³ County of San Bernardino Development Code, Title 8, Section 83.01.080.

⁴ Do the estimated Project operational noise source activities exceed the noise level standards?
"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

Source: (Urban Crossroads, 2021b, Table 9-3)

D Off-site Traffic Noise Impact Analysis

The analysis below addresses potential off-site traffic noise generated from the Project. To evaluate off-site noise increases that could result from Project-related traffic on the roadway system, noise levels were modeled for the following scenarios:

- Existing plus Project (E+P)
- Existing plus Ambient Growth plus Project (EAP) (2023)
- Existing plus Ambient Growth plus Project plus Cumulative (EAPC) (2023)
- Horizon Year (2040)

The Existing plus Project (E+P) analysis determines the Project’s traffic noise impacts under the theoretical scenario where traffic from the Project is added to existing conditions. The E+P scenario is presented to disclose direct impacts to the existing environment as required by CEQA. In the case of the Project, the estimated time period between the commencement of the Project’s CEQA analysis (2021) and Project buildout (2023) is two years. During this time period, traffic conditions are not static – other projects are being constructed, the transportation network is evolving, and traffic patterns are changing. Therefore, the E+P scenario is very unlikely to materialize in real-world conditions when the Project is constructed and becomes operational. An analysis of E+P traffic conditions has been included in this report for informational purposes.

The Existing plus Ambient Growth plus Project (EAP) conditions analysis determines traffic noise impacts that would occur on the existing roadway system with the addition of Project traffic. To account for background traffic growth, an ambient growth factor from Existing conditions of 2% per year, compounded annually, for a total of 4.04% is included for EAP (2023) traffic conditions. The ambient growth is consistent with the growth used by other projects in the area within the City of Rialto.

The Existing plus Ambient Growth plus Project plus Cumulative (EAPC) conditions analysis determines the potential near-term traffic noise impacts. To account for background traffic growth, traffic associated with



other known cumulative development projects in conjunction with an ambient growth factor from Existing conditions of 2% per year, compounded annually, for a total of 4.04% is included for EAPC (2023) traffic conditions. The ambient growth is consistent with the growth used by other projects in the area. This comprehensive list was compiled from information provided by the City of Rialto and other nearby agencies.

The Horizon Year (2040) analysis determines the potential for the Project to contribute to long-term noise impacts after the addition of growth expected from build out of local general plans and local cumulative development projects.

Refer to EIR Subsection 4.11, *Transportation*, for information about the distribution pattern of Project-related traffic. The trip distribution for the Project was developed based on anticipated passenger car and truck travel patterns to-and-from the Project Site. The traffic distribution pattern for Project-related truck trips and passenger car trips are shown in EIR Subsection 4.11 and discussed in more detail in the Project’s Traffic Impact Analysis included as *Technical Appendix K* to this EIR. The analysis below addresses potential off-site traffic noise impacts from implementation of the Project.

1. Existing plus Project Conditions

As summarized in Table 4.10-9, *E+P Traffic Noise Levels*, Project traffic noise would generate a noise level increase of up to 2.6 dBA CNEL on the study area roadway segments. As indicated in Table 4.10-9, noise from Project-related operational traffic would not exceed the applicable significance thresholds under the E+P scenario; therefore, the Project’s contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.

Table 4.10-9 E+P Traffic Noise Levels

ID	Road	Segment	Receiving Land Use ¹	CNEL at Receiving Land Use (dBA) ²			Incremental Noise Level Increase Threshold ³	
				No Project	With Project	Project Addition	Limit	Exceeded?
1	Willow Av.	n/o Valley Bl.	Non-Sensitive	65.5	68.1	2.6	5.0	No
2	Riverside Av.	s/o Valley Bl.	Non-Sensitive	72.9	74.2	1.3	3.0	No
3	Valley Bl.	w/o Dwy. 1	Non-Sensitive	69.9	70.0	0.1	5.0	No
4	Valley Bl.	e/o Willow Av.	Non-Sensitive	70.4	72.6	2.2	3.0	No
5	Valley Bl.	e/o Riverside Av.	Non-Sensitive	68.7	68.7	0.0	5.0	No

¹ Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

² The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

³ Does the Project create an incremental noise level increase exceeding the significance criteria?

Source: (Urban Crossroads, 2021b, Table 7-9)

2. Existing plus Ambient Growth plus Project Conditions

As summarized in Table 4.10-10, *EAP (2023) Traffic Noise Levels*, Project traffic noise would generate a noise level increase of up to 2.6 dBA CNEL on the study area roadway segments. As indicated in Table 4.10-10, noise from Project-related operational traffic would not exceed the applicable significance thresholds under the EAP (2023) scenario; therefore, the Project’s contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.



Table 4.10-10 EAP (2023) Traffic Noise Levels

ID	Road	Segment	Receiving Land Use ¹	CNEL at Receiving Land Use (dBA) ²			Incremental Noise Level Increase Threshold ³	
				No Project	With Project	Project Addition	Limit	Exceeded?
1	Willow Av.	n/o Valley Bl.	Non-Sensitive	65.6	68.2	2.6	5.0	No
2	Riverside Av.	s/o Valley Bl.	Non-Sensitive	73.1	74.3	1.2	3.0	No
3	Valley Bl.	w/o Dwy. 1	Non-Sensitive	70.1	70.1	0.0	3.0	No
4	Valley Bl.	e/o Willow Av.	Non-Sensitive	70.6	72.7	2.1	3.0	No
5	Valley Bl.	e/o Riverside Av.	Non-Sensitive	68.9	68.9	0.0	5.0	No

¹ Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

² The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

³ Does the Project create an incremental noise level increase exceeding the significance criteria?

Source: (Urban Crossroads, 2021b, Table 7-10)

3. Existing plus Ambient Growth plus Project plus Cumulative Conditions

As summarized in Table 4.10-11, *EAPC (2023) Traffic Noise Levels*, Project traffic noise would generate a noise level increase of up to 2.1 dBA CNEL on the study area roadway segments. As indicated in Table 4.10-11, noise from Project-related operational traffic would not exceed the applicable significance thresholds under the EAPC (2023) scenario; therefore, the Project’s contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.

Table 4.10-11 EAPC (2023) Traffic Noise Levels

ID	Road	Segment	Receiving Land Use ¹	CNEL at Receiving Land Use (dBA) ²			Incremental Noise Level Increase Threshold ³	
				No Project	With Project	Project Addition	Limit	Exceeded?
1	Willow Av.	n/o Valley Bl.	Non-Sensitive	66.9	69.0	2.1	5.0	No
2	Riverside Av.	s/o Valley Bl.	Non-Sensitive	73.4	74.5	1.1	3.0	No
3	Valley Bl.	w/o Dwy. 1	Non-Sensitive	70.4	70.4	0.0	3.0	No
4	Valley Bl.	e/o Willow Av.	Non-Sensitive	71.0	72.9	1.9	3.0	No
5	Valley Bl.	e/o Riverside Av.	Non-Sensitive	69.0	69.0	0.0	5.0	No

¹ Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

² The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

³ Does the Project create an incremental noise level increase exceeding the significance criteria?

Source: (Urban Crossroads, 2021b, Table 7-11)

4. Horizon Year Conditions

As summarized in Table 4.10-12, *Horizon Year (2040) Traffic Noise Levels*, Project traffic noise would generate a noise level increase of up to 1.9 dBA CNEL on the study area roadway segments. As indicated in Table 4.10-12, noise from Project-related operational traffic would not exceed the applicable significance thresholds under the Horizon Year (2040) scenario; therefore, the Project’s contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.



Table 4.10-12 Horizon Year (2040) Traffic Noise Levels

ID	Road	Segment	Receiving Land Use ¹	CNEL at Receiving Land Use (dBA) ²			Incremental Noise Level Increase Threshold ³	
				No Project	With Project	Project Addition	Limit	Exceeded?
1	Willow Av.	n/o Valley Bl.	Non-Sensitive	67.3	69.2	1.9	5.0	No
2	Riverside Av.	s/o Valley Bl.	Non-Sensitive	73.8	74.9	1.1	3.0	No
3	Valley Bl.	w/o Dwy. 1	Non-Sensitive	70.8	70.8	0.0	3.0	No
4	Valley Bl.	e/o Willow Av.	Non-Sensitive	71.4	73.2	1.8	3.0	No
5	Valley Bl.	e/o Riverside Av.	Non-Sensitive	69.4	69.4	0.0	5.0	No

¹ Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

² The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

³ Does the Project create an incremental noise level increase exceeding the significance criteria?

Source: (Urban Crossroads, 2021b, Table 7-12)

Threshold “b:” Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

As noted previously, the Rialto Municipal Code does not define numeric thresholds for “excessive” vibration. For purposes of this EIR, the metric used to evaluate whether the Project’s vibration levels are considered “excessive” during either construction or operation is used from the County of San Bernardino Development Code Section 83.01.090(a) (Urban Crossroads, 2021b, p. 16).

A General Construction Analysis

Construction activities on the Project Site would utilize equipment that has the potential to generate vibration. Vibration levels resulting from construction activities on the Project Site were calculated at the same five receiver locations that were evaluated in the construction noise analysis (refer to Figure 4.10-2). The five representative receiver locations include a church, senior center, hotel, middle school, and an existing residence. Table 4.10-13, *Project Construction Vibration Levels*, summarizes Project construction vibration levels at the modeled receiver locations. As shown in Table 4.10-13, none of the receiver locations in the vicinity of the Project Site would be exposed to vibration levels that exceed the applicable significance threshold. Accordingly, Project construction would not generate excessive or substantial temporary groundborne vibration or noise levels and a less-than-significant impact would occur.

B Concrete Crushing Construction Analysis

Vibration resulting from the use of concrete crushing construction equipment on the Project Site were calculated at the same five representative receiver locations that were evaluated in construction vibration analysis described above. Table 4.10-14, *Concrete Crushing Construction Vibration Levels*, summarizes Project concrete crushing construction vibration levels at the five modeled receiver locations and shows that none of the receiver locations in the vicinity of the Project Site would be exposed to vibration levels that exceed the applicable significance threshold. Accordingly, the Project’s concrete crushing construction activities would not generate excessive temporary groundborne vibration or noise levels and a less-than-significant impact would occur.



Table 4.10-13 Project Construction Vibration Levels

Receiver ¹	Distance to Const. Activity (Feet)	Receiver PPV Levels (in/sec) ²					Threshold PPV (in/sec) ³	Threshold Exceeded? ⁴
		Small Bulldozer	Jack-hammer	Loaded Trucks	Large Bulldozer	Peak Vibration		
R1	535'	0.000	0.000	0.001	0.001	0.001	0.2	No
R2	1,556'	0.000	0.000	0.000	0.000	0.000	0.2	No
R3	399'	0.000	0.001	0.001	0.001	0.001	0.2	No
R4	846'	0.000	0.000	0.000	0.000	0.000	0.2	No
R5	713'	0.000	0.000	0.000	0.001	0.001	0.2	No

¹ Receiver locations are shown on Figure 4.10-2

² Based on the Vibration Source Levels of Construction Equipment included on Table 4.10-4

³ County of San Bernardino Development Code, Section 83.01.090(a)

⁴ Does the vibration level exceed the maximum acceptable vibration threshold?

Source: (Urban Crossroads, 2021b, Table 10-5)

Table 4.10-14 Concrete Crushing Construction Vibration Levels

Receiver Location ¹	Construction Noise Levels (dBA L _{eq})		
	Concrete Crushing ²	Daytime Threshold ³	Threshold Exceeded? ⁴
R1	50.5	80	No
R2	48.8	80	No
R3	53.0	80	No
R4	51.5	80	No
R5	51.3	80	No

¹ Noise receiver locations are shown on Figure 4.10-3

² Concrete crushing noise level calculations provided in Appendix 10.2 of the Project's Noise Analysis (see EIR *Technical Appendix I*)

³ Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual.

⁴ Do the estimated Project construction noise levels exceed the daytime construction noise level threshold?

Source: (Urban Crossroads, 2021b, Table 10-7)

C Operational Analysis

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not cumulatively-contribute to the exposure of persons to excessive groundborne vibration or noise levels during long-term operation.



Threshold “c:” For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The Project Site is not located within two miles of a public airport or within an airport land use compatibility plan. The closest public airport is the San Bernardino International Airport, located approximately 6.6 miles northeast of the Project Site (Google Earth, 2021). Accordingly, the Project would not expose people working on the Project Site to excessive noise levels. Impacts would be less than significant.

4.10.7 CUMULATIVE IMPACT ANALYSIS

The cumulative impact analysis considers construction and operation of the Project in conjunction with other development projects in the vicinity of the Project Site and resulting from full General Plan buildout in the Cities of Rialto, Fontana, and nearby unincorporated areas in the County of San Bernardino.

A Construction Noise

Construction activities associated with the proposed Project, especially activities involving heavy equipment, would create intermittent periods of noise when construction equipment is in operation and cause a short-term increase in ambient noise levels. The list of cumulative projects that have the potential to collectively increase noise is provided in Table 4.0-1 in Section 4.0, *Environmental Analysis*, of this EIR. As detailed on that list, there are no ongoing or imminent construction projects in the immediate vicinity of the proposed Project Site with construction periods that are expected to overlap with the Project. Accordingly, there is no potential for Project-related construction activities to contribute to cumulatively-considerable impacts to occupied sensitive receptor locations.

B Stationary Noise

The analysis presented for Threshold “a” addresses the Project’s contribution of noise to existing cumulative noise sources (i.e., ambient noise) in the Project area. As previously shown in Table 4.10-7, the Project’s noise contribution would not be perceptible to noise-sensitive receptors in the Project area during daytime or nighttime hours. The Project’s permanent stationary noise impacts would not be cumulatively-considerable.

C Traffic Noise

The analysis presented under Threshold “a” evaluates the Project’s traffic noise contribution along study area roadways with consideration of near-term (Year 2023) and long-term (Year 2040) cumulative development. As summarized in Table 4.10-10 through Table 4.10-12, the Project’s traffic noise contributions along study area roadways would not exceed applicable significance thresholds and, therefore, would not be cumulatively-considerable under near- or long-term conditions.

D Groundborne Vibration and Noise

During construction, the Project’s peak vibration impacts would occur during the grading phase when large pieces of equipment, like bulldozers, are operating on-site. (During the non-grading phases of Project construction, when smaller pieces of equipment are used on-site, the Project’s vibration would be minimal.)



Vibration effects diminish rapidly from the source; therefore, the only reasonable sources of cumulative vibration in the vicinity of the Project Site could occur on properties abutting these sites. As described above, there are no known active or pending construction projects abutting the Project Site that would overlap with the Project’s proposed construction schedule. Accordingly, there is no potential for the Project to contribute to the exposure of persons to substantial temporary groundborne vibration or noise.

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not cumulatively-contribute to the exposure of persons to excessive groundborne vibration or noise levels during long-term operation.

E Airport Noise

The Project would not involve the construction, operation, or use of any public airports or public use airports. There are no conditions associated with implementation of the Project that would contribute airport noise or exposure of additional people to unacceptable levels of airport noise. Accordingly, the Project would have no potential to cumulatively-contribute to impacts associated with noise from a public airport, public use airport, or private airstrip. Additionally, the Project Site and the immediately surrounding area are not subject to substantial airport- or air traffic-related noise. Accordingly, there is no potential for cumulative development to expose persons residing or working in the Project area to excessive airport-related noise levels.

4.10.8 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold “a:” Less-than-Significant Impact. The Project would generate short-term construction and long-term operational noise but would not generate noise levels during construction and/or operation that exceed the standards established by the FTA, FICON, the City of Rialto, or San Bernardino County Development Code.

Threshold “b:” Less-than-Significant Impact. The Project’s construction and operational activities would not result in a perceptible groundborne vibration or noise.

Threshold “c:” Less-than-Significant Impact. The Project Site is not located within an area exposed to high levels of noise from the San Bernardino International Airport. As such, the Project would not expose people to excessive noise levels associated with a public airport or public use airport.

4.10.9 MITIGATION

Impacts would be less than significant; therefore, mitigation is not required.



4.11 TRANSPORTATION

This Subsection assesses the potential for transportation impacts resulting from implementation of the Project. In accordance with SB 743, further discussed under Subsection 4.12.4 below, the California Natural Resources Agency (CNRA) adopted changes to the CEQA Guidelines in December 2018 that require VMT to be used as the metric to evaluate a project’s transportation impacts as of July 1, 2020. Pursuant to CEQA Guidelines Section 15064.3(a), automobile delay, as measured by LOS and other similar metrics, no longer constitute a significant environmental effect under CEQA. Lead agencies in California are required to use VMT to evaluate project-related transportation impacts. Accordingly, although this Subsection evaluates the Project’s potential effects to LOS and associated consistency with the LOS standards identified by the City of Rialto General Plan, it should be noted that pursuant to CEQA Guidelines Section 15064.3(a), “...a project’s effect on automobile delay shall not constitute a significant environmental impact.”

Notwithstanding the VMT method of analysis for CEQA evaluation purposes, the City’s General Plan and traffic study guidelines require analysis based on LOS, which the City uses to confirm development projects’ consistency with the General Plan and, in part, to determine the transportation improvement obligations of development projects. The Traffic Analysis for the Project was prepared by Urban Crossroads, Inc. (Urban Crossroads, 2021c)¹. This report is included as *Technical Appendix K* to this EIR. The Project’s Traffic Analysis has been prepared in accordance with the City of Rialto’s *Traffic Impact Analysis Report Guidelines and Requirements*, County of San Bernardino’s *Transportation Impact Study Guidelines*, San Bernardino County Congestion Management Program (CMP)’s *Guidelines for CMP Traffic Impact Analysis Reports*, and through consultation with City of Rialto staff during the scoping process.

The VMT Analysis for the Project also was prepared by Urban Crossroads, Inc. and is included as *Technical Appendix L* to this EIR (Urban Crossroads, 2021d)². The VMT Analysis has been prepared in accordance with the City’s draft guidelines for VMT analysis, which rely on SBCTA’s *Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment* and utilize the SBCTA VMT Screening Tool.

All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.11.1 EXISTING TRANSPORTATION SYSTEM

A Existing Project Site Traffic

The Project Site is currently occupied by a variety of businesses. Trip generation estimates for the existing uses were developed using traffic count data collected at the existing driveways on Willow Avenue and Valley Boulevard. The existing site was surveyed during typical weekday conditions on August 19, 2020. The existing uses on the Project Site were observed to generate a total of 230 actual trip-ends per day with 18 actual AM peak hour trips and 16 actual PM peak hour trips (Urban Crossroads, 2021c, p. 39).

¹ Urban Crossroads, 2021. *Birtcher Logistics Center Rialto (MC2020-0031) Traffic Analysis*. December 20, 2021.

² Urban Crossroads, 2021. *Valley Boulevard and Willow Avenue Vehicle Miles Traveled (VMT) Analysis*. December 14, 2021.



B Existing Roadway System

The Project Site is located at the northwest corner of the intersection of Valley Boulevard and Willow Avenue. Existing traffic on nearby roadways consist of both passenger vehicles and trucks passing through the area and accessing nearby land uses. Additional information regarding the existing layout and planned design of the roadway system in the vicinity of the Project Site and the larger City of Rialto is provided in Section 3 of the Project's Traffic Analysis.

The primary regional vehicular travel route serving the Project area is I-10, which is located approximately 0.15-mile south of the Project Site. The Project Site is located approximately 0.3-mile northwest of the Riverside Avenue on/off-ramp to I-10. I-10 provides access to I-215, which is located approximately 4.3 miles to the east of the Project Site and I-15, which is located approximately 9.8 miles to the west of the Project Site. Additional information regarding the existing regional freeway system is provided in Section 3 of the Project's Traffic Analysis.

C Existing Truck Routes

In the vicinity of the Project Site, the City of Rialto has designated Valley Boulevard and Riverside Avenue as truck routes (Urban Crossroads, 2021c, p. 25). Valley Boulevard abuts the Project Site to the south and Riverside Avenue is located 0.3-mile east of the Project Site.

D Existing Transit Services

The City is served by Omnitrans, a public transit agency serving various jurisdictions within San Bernardino County. There are no transit routes that run adjacent to the Project Site under existing conditions (Urban Crossroads, 2021c, p. 25). Route 22 is the nearest transit route to the Project Site (Google Earth, 2021). Route 22 provides service between north and south Rialto via Riverside Avenue.

E Existing Bicycle and Pedestrian Facilities

Field observations collected by Urban Crossroads indicate nominal pedestrian and bicycle activity near the Project Site (Urban Crossroads, 2021c, p. 31). There are no existing bicycle lanes on either Valley Boulevard or Willow Avenue abutting the Project Site (Google Earth, 2021). There is a sidewalk along the Project Site's frontage with Willow Avenue; no sidewalk is present along the Project Site frontage with Valley Boulevard.

4.11.2 EXISTING VEHICLE MILES TRAVELED

The SSBCTA provides VMT data for each of its member agencies and for the County of San Bernardino region via its San Bernardino Transportation Analysis Model (SBTAM). The SBTAM identifies a baseline VMT per service population value, which calculates the number of daily vehicles miles traveled by each member of the "service population," which includes area employees and residents. Based on data from the SBTAM, the baseline VMT per service population value for the Project Site's traffic analysis zone (TAZ) is 32.70 miles (Urban Crossroads, 2021d, p. 5)



4.11.3 EXISTING LEVEL OF SERVICE

A Study Area Description

The geographic area (hereafter referred to as the “Project Study Area” or “Study Area”) that was evaluated using a LOS metric for purposes of analysis of the Project’s consistency with the City of Rialto General Plan is defined as follows:

1. Intersections

Pursuant to its traffic study guidelines, the City of Rialto requires a performance analysis of intersections that would receive 50 or more peak hour trips from a development project. A “peak hour trip” is a trip that occurs between the hours of 7:00 AM and 9:00 AM (AM peak hour) or between the hours of 4:00 PM and 6:00 PM (PM peak hour).

Based on the aforementioned 50 peak hour trip criterion, the Project Study Area includes a total of seven intersections: three intersections on the Project Site (i.e., driveways) and four off-site intersections. These intersections are identified on Figure 4.11-1, *Study Area Intersection Locations*, and are listed in Table 4.11-1, *Study Area Intersection Locations*. The Study Area includes intersections under the jurisdictions of the City of Rialto as well as the California Department of Transportation (Caltrans).

Table 4.11-1 Study Area Intersection Locations

ID	Intersection	Jurisdiction	CMP?
1	Driveway 1 & Valley Bl. – Future Intersection	Rialto	No
2	Driveway 2 & Valley Bl. – Future Intersection	Rialto	No
3	Willow Av. & Driveway 3 – Future Intersection	Rialto	No
4	Willow Av. & Valley Bl.	Rialto	Yes
5	Riverside Dr. & Valley Bl.	Rialto	No
6	Riverside Dr. & I-10 WB Ramps	Rialto, Caltrans	No
7	Riverside Dr. & I-10 EB Ramps	Rialto, Caltrans	No

Source: (Urban Crossroads, 2021c, Table 1-1)

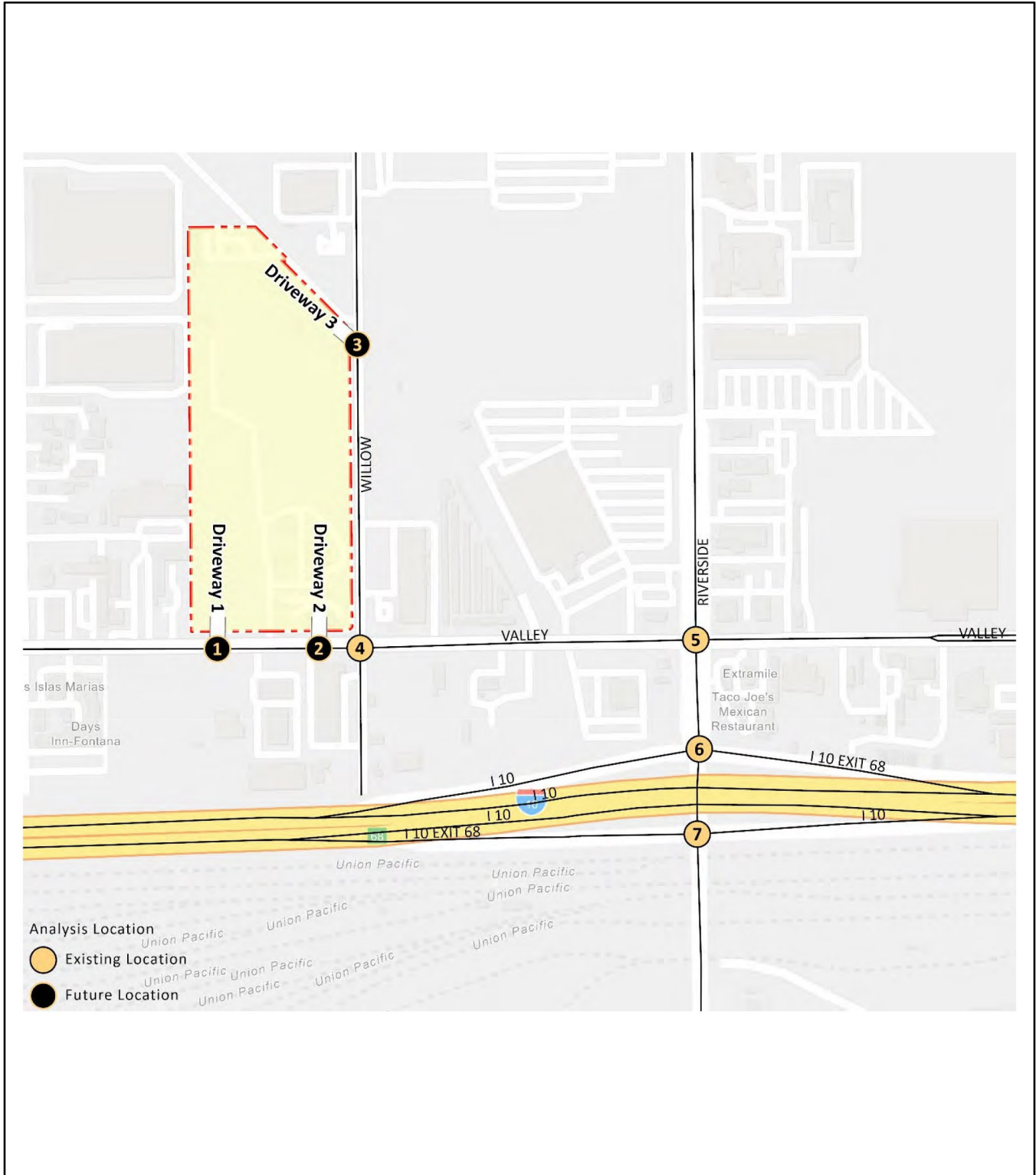
2. Roadway Segments

The Project Study Area also includes two roadway segments. The roadway segments were selected by City of Rialto staff and include the roadways that would receive the highest volume of Project traffic. These segments are listed in Table 4.11-2, *Study Area Roadway Segments*. The Study Area are under the jurisdictions of the City of Rialto.

Table 4.11-2 Study Area Roadway Segments

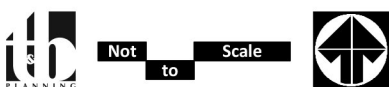
ID	Roadway Segment	Segment Limits
1	Valley Bl.	Willow Av. to Lilac Avenue
2	Valley Bl.	Willow Av. to Riverside Av.

Source: (Urban Crossroads, 2021c, Table 1-2)



Source(s): Urban Crossroads (12-20-2021)

Figure 4.11-1



Study Area Intersection Locations



B Existing Levels of Service

Weekday AM and PM peak hour traffic count data was collected at Study Area intersections and roadway segments in January, February, and May 2019. Due to the currently ongoing COVID-19 pandemic, schools and businesses within the Study Area were closed or operating at less than full capacity at the time the Project’s traffic analysis was performed in 2021. As such, 2019 traffic counts were utilized in conjunction with a 2% per year growth rate (compounded annually) to reflect 2021 conditions (Urban Crossroads, 2021c, p. 31).

The traffic count data includes a tabulation of passenger cars, 2-axle trucks, 3-axle trucks, and 4-or-more axle trucks. Larger vehicles take up more space on the roadway and take longer to accelerate and decelerate than smaller passenger vehicles; therefore, converting larger vehicles into passenger car equivalents (PCEs) allows for the real-world effect that larger vehicles have on roadways to be accurately reflected in the Project’s Traffic Analysis and for traffic to be represented as a standardized unit. For purposes of this analysis, a PCE factor of 1.5 is applied to 2-axle truck trips, 2.0 is applied to 3-axle truck trips, and 3.0 is applied to 4 and 4+ axle truck trips (Urban Crossroads, 2021c, p. 31). These PCE factors follow the recommendations of the City of Rialto’s traffic study guidelines.

Existing (2021) AM and PM peak hour intersection volumes are shown on Figure 4.11-2, *Existing Peak Hour Traffic Volumes (PCE)*. Except where specifically noted, all of the vehicle trips/traffic volumes presented in this EIR Subsection, including those illustrated on Figure 4.11-2 are shown in terms of PCE.

1. Existing Intersection LOS Conditions

Existing peak hour traffic performance at existing Study Area intersections is summarized in Table 4.11-3, *Existing (2021) Intersection Analysis*. The traffic performance levels shown in Table 4.11-3 were calculated using the analysis methodologies presented later in this Subsection (refer to Subsection 4.11.5). As shown in Table 4.11-3, all intersections in the Study Area operate at acceptable LOS during peak hours under existing conditions, with the exception Riverside Avenue & Valley Boulevard (Intersection #5), which operates at LOS E in the AM peak hour & LOS F in the PM peak hour.

Table 4.11-3 Existing (2021) Intersection Analysis

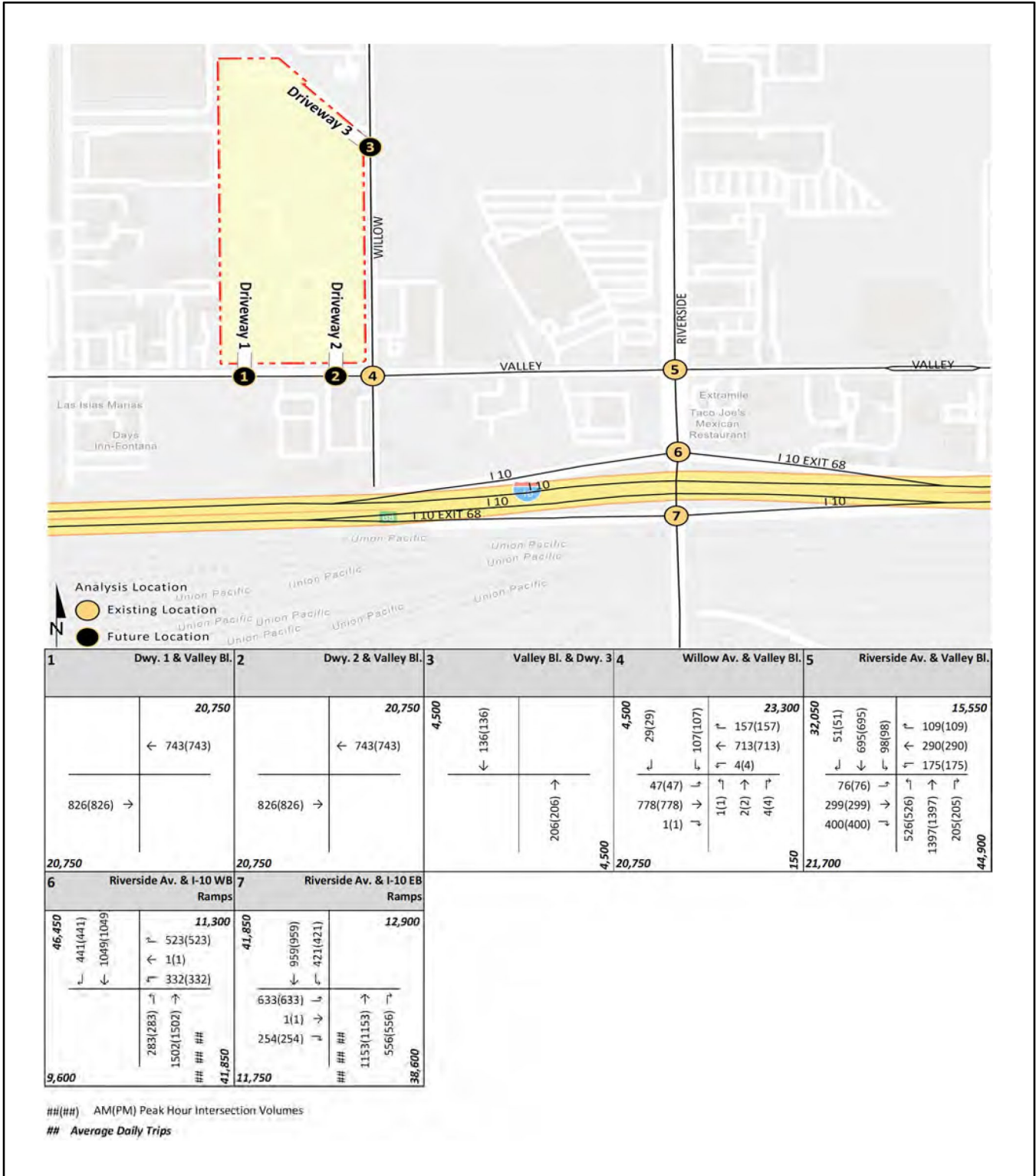
#	Intersection	Traffic Control ²	Delay ¹ (secs.)		Level of Service	
			AM	PM	AM	PM
1	Driveway 1 & Valley Blvd.		Future Intersection			
2	Driveway 2 & Valley Blvd.		Future Intersection			
3	Willow Av. & Driveway 3		Future Intersection			
4	Willow Av. & Valley Blvd.	TS	10.9	10.7	B	B
5	Riverside Av. & Valley Blvd.	TS	65.4	88.8	E	F
6	Riverside Av. & I-10 WB Ramps	TS	29.3	19.2	C	B
7	Riverside Av. & I-10 EB Ramps	TS	29.0	37.2	C	D

* **BOLD** = Unacceptable LOS

¹ Per the Highway Capacity Manual (6th Edition), overall average intersection delay and level of service are shown for intersections with a traffic signal or all way stop control. For intersections with cross street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are shown.

² TS = Traffic Signal

Source: (Urban Crossroads, 2021c, Table 3-1)



Source(s): Urban Crossroads (12-20-2021)

Figure 4.11-2



Not to Scale



Existing Peak Hour Traffic Volumes (PCE)



2. Existing Roadway Segment LOS Conditions

The LOS for Study Area intersections were calculated using the analysis methodologies presented in Subsection 4.11.5. All roadway segments in the Study Area operate at acceptable LOS under existing conditions, as summarized in Table 4.11-4, *Existing (2021) Roadway Segment Analysis*.

Table 4.11-4 Existing (2021) Roadway Segment Analysis

#	Roadway	Segment Limits	Roadway Section	LOS Capacity ¹	Existing 2021	V/C ²	LOS ³
1	Valley Blvd.	Willow Av. to Lilac Av.	4U	36,000	20,733	0.58	A
2		Willow Av. to Riverside Av.	4U	36,000	23,304	0.65	B

¹ These maximum roadway capacities assume 9,000 vehicles per lane per day for arterials.

² V/C = Volume to Capacity Ratio

³ LOS = Level of Service

Source: (Urban Crossroads, 2021c, Table 3-2)

4.11.4 REGULATORY SETTING

A State Plans, Policies, and Regulations

1. Senate Bill 743

SB 743, which was codified in Public Resources Code (PRC) Section 21099, required changes to the CEQA Guidelines regarding the analysis of transportation impacts. Pursuant to Public Resources Code (PRC) Section 21099, the criteria for determining the significance of transportation impacts must “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” To that end, in developing the criteria, the OPR proposed, and the CNRA certified and adopted changes to the CEQA Guidelines in December 2018, which entailed changes to the thresholds of significance for the evaluation of impacts to transportation. The updated CEQA Guidelines include the addition of CEQA Guidelines Section 15064.3, of which Subdivision b establishes criteria for evaluating a project’s transportation impacts based on project type and using automobile VMT as the metric.

B Local Plans, Policies, and Regulations

1. SCAG Regional Transportation Plan/Sustainable Communities Strategy

The SCAG is a regional agency established pursuant to California Government Code Section 6500, also referred to as the Joint Powers Authority law. SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). The Project Site is located within SCAG’s regional authority. On September 3, 2020, SCAG adopted the *2020-2045 RTP/SCS (Connect SoCal)* and its associated Program EIR for federal transportation conformity purposes only. *Connect SoCal* focuses on the continued efforts of the previous RTP/SCS plans for an integrated approach in transportation and land uses strategies in development of the SCAG region through horizon year 2045. The goals for *Connect SoCal* include: 1) encourage regional economic prosperity and global competitiveness; 2) improve mobility, accessibility, reliability, and travel safety for people and goods; 3) enhance the preservation, security, and resilience of the regional transportation system; 4) increase person and goods movement and travel choices within the transportation system; 5) reduce greenhouse gas emissions and



improve air quality; 6) support healthy and equitable communities; 7) adapt to a changing climate and support an integrated regional development pattern and transportation network; 8) leverage new transportation technologies and data-driven solutions that result in more efficient travel; 9) encourage development of diverse housing types in areas that are supported by multiple transportation options; and 10) promote conservation of natural and agricultural lands and restoration of habitats (SCAG, 2020a, p. 9).

2. San Bernardino County Congestion Management Program (CMP)

The *San Bernardino County Congestion Management Program (CMP)* was prepared by the San Bernardino Associated Governments (SANBAG). The intent of the *CMP* is to create a link between land use, transportation, and air quality planning decisions and to prompt reasonable growth management programs that would more effectively utilize new and existing transportation funds to alleviate traffic congestion and related impacts and improve air quality. The *San Bernardino CMP* was first adopted in November 1992 and has since been updated 12 times, with the most recent comprehensive update in June 2016. There is one *CMP* facility located in the Project Study Area: the Willow Avenue & Valley Boulevard (Intersection #4) (Urban Crossroads, 2021c, p. 6).

3. San Bernardino County Measure “I”

Measure “I,” a one-half of one percent sales tax on retail transactions, was approved by San Bernardino County voters in 1989 and extended by County voters in 2004 to remain effective through the year 2040. While Measure “I” is a self-executing sales tax, it bears discussion here because the funds raised through Measure “I” have funded in the past and will continue to fund new transportation facilities in San Bernardino County, including within the City. The revenue generated by Measure “I” is to be used to fund transportation projects including, but not limited to, roadway improvements, commuter rail, public transit, and other identified improvements. Measure “I” also required that a local traffic impact fee be created to ensure that development projects are paying a fair share for transportation projects from which they would benefit (see discussion of “City Development Impact Fee (DIF),” below). Revenues collected through local traffic impact fee programs are used in tandem with regional Measure “I” revenues to fund projects identified in the SANBAG Development Mitigation Nexus Study, which is included as Appendix G to the *San Bernardino County CMP*.

4. City of Rialto General Plan Circulation Chapter

The “Making the Connections: The Circulation Chapter” of the City’s 2010 General Plan is intended to guide the development of the City’s circulation system in a manner that is compatible with the land use vision. The Circulation Chapter provides policy direction to create a system of “complete streets,” which refers to a multi-modal transportation network designed and operated to meet the needs of all users. Through the goals and policies of this Chapter, the City will strive to meet diverse mobility needs and reduce vehicle miles traveled, which will reduce greenhouse gas emissions, address climate change, and mitigate roadway congestion. The Circulation Chapter goals and policies applicable to the Project are addressed later in this Subsection (see analysis under Threshold “a”).

5. City of Rialto Development Impact Fee (DIF)

The City created its DIF program to impose and collect fees from new residential, commercial, and industrial development for the purpose of funding local improvements necessary to accommodate City growth as



identified in the City’s General Plan Circulation Element. The identification of specific roadway and intersection improvement projects and the timing to use the DIF fees is established through periodic capital improvement programs which are overseen by the City’s Public Works Department.

4.11.5 TRANSPORTATION ANALYSIS METHODOLOGY

The Project’s VMT analysis and the LOS analysis that was performed for purposes of analysis of the Project’s consistency with the City of Rialto General Plan, as provided in the Project’s Traffic Analysis and VMT Analysis, respectively, rely on the analysis methodologies summarized below. Refer to the Traffic Analysis (*Technical Appendix K*) and the VMT Analysis (*Technical Appendix L*) for a detailed description of the analysis methodologies that were used.

A Vehicle Miles Traveled (VMT) Evaluation Criteria and Methodology

The SBCTA prepared the *SBCTA Countywide SB 743 VMT Implementation Study* (February 2020) to assist its member agencies with implementation tools necessary to adopt analysis methodology, impact thresholds and mitigation approaches for VMT. In February 2020, SBCTA also released the *Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment* (SBCTA Guidelines), which provides its member agencies with a template of specific procedures for complying with the new CEQA requirements for VMT analysis. The City of Rialto is currently in development of City-specific VMT analysis guidelines and impact thresholds. The City’s draft VMT guidelines, which are consistent with the SBCTA Guidelines, were used for the Project’s VMT analysis (Urban Crossroads, 2021d, p. 1).

The Project’s VMT analysis relies on the SBTAM to extract baseline and cumulative VMT values with and without the Project. The model runs with the Project account for the Project’s land use and service population (i.e., number of employees). Project-generated VMT includes all vehicle trips that are traced to the Project’s TAZ, this includes internal to internal, internal to external, and external to internal trips, and is generated as a total VMT value. The Project’s VMT is converted to an efficiency metric by dividing the VMT by the Project’s service population (i.e., employees) to allow a comparison with the baseline and cumulative VMT generated by the SBTAM.

As noted in the City’s draft VMT guidelines, a development project would result in a significant VMT impact if either of the following conditions is met: 1) Baseline project-generated VMT per service population exceeds the County of San Bernardino baseline VMT per service population; or 2) Cumulative project-generated VMT per service population exceeds the County of San Bernardino baseline VMT per service population. Although for industrial land uses, like the proposed Project, the City’s draft VMT guidelines specifically define “project-generated VMT” as commute VMT from site employees (home-based work), because the City’s VMT guidelines have not yet been formally adopted, this EIR also utilizes a project-specific threshold of significance that measures the Project’s total VMT, inclusive of VMT from home-based work trips and heavy truck trips.



B Level of Service (LOS) Methodology

The performance of roadway facilities is described using the term LOS. LOS is a qualitative description of traffic flow based on several factors such as speed, travel time, delay, and freedom to maneuver. LOS-based performance criteria include six (6) classifications ranging from LOS A, representing completely free-flow conditions, to LOS F, representing a breakdown in flow that results in stop-and-go conditions. Table 4.11-5, *Signalized Intersection LOS Thresholds*, and Table 4.11-6, *Unsignalized Intersection LOS Thresholds*, summarize typical operational conditions at signalized and unsignalized intersections for each LOS classification, respectively.

Table 4.11-5 Signalized Intersection LOS Thresholds

Description	Average Control Delay (Seconds), V/C ≤ 1.0	Level of Service, V/C ≤ 1.0	Level of Service, V/C > 1.0
Operations with very low delay occurring with favorable progression and/or short cycle length.	0 to 10.00	A	F
Operations with low delay occurring with good progression and/or short cycle lengths.	10.01 to 20.00	B	F
Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	20.01 to 35.00	C	F
Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and individual cycle failures are noticeable.	35.01 to 55.00	D	F
Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences. This is considered to be the limit of acceptable delay.	55.01 to 80.00	E	F
Operation with delays unacceptable to most drivers occurring due to over saturation, poor progression, or very long cycle lengths.	80.01 and up	F	F

Source: (Urban Crossroads, 2021c, Table 2-1)

Table 4.11-6 Unsignalized Intersection LOS Thresholds

Description	Average Control Delay Per Vehicle (Seconds)	Level of Service, V/C ≤ 1.0	Level of Service, V/C > 1.0
Little or no delays.	0 to 10.00	A	F
Short traffic delays.	10.01 to 15.00	B	F
Average traffic delays.	15.01 to 25.00	C	F
Long traffic delays.	25.01 to 35.00	D	F
Very long traffic delays.	35.01 to 50.00	E	F
Extreme traffic delays with intersection capacity exceeded.	> 50.00	F	F

Source: (Urban Crossroads, 2021c, Table 2-2)

The CEQA Guidelines require that transportation impacts to the environment be determined based on VMT; a LOS metric is no longer used as the basis for determining the significance of environmental impacts.



Therefore, the LOS analysis herein is informational and focuses solely on consistency with the City of Rialto's General Plan, specifically Policy 4-1.20 and Policy 4-1.21. General Plan Policy 4-1.20 states:

“Design City streets so that signalized intersections operate at Level of Service (LOS) D or better during the morning and evening peak hours, and require new development to mitigate traffic impacts that degrade LOS below that level. The one exception will be Riverside Avenue south of the Metrolink tracks all the way to the City’s southern border, which can operate at LOS E.”

General Plan Policy 4-1.21 states:

“Design City streets so that unsignalized intersections operate with no vehicular movement having an average delay greater than 120 seconds during the morning and evening peak hours, and require new development to mitigate traffic impacts that increase delay above that level.”

Inconsistency with Policy 4-1.20 and Policy 4-1.21, however, does not constitute a transportation impact under CEQA, pursuant to CEQA Guidelines Section 15064.3(a) and the LOS analysis is provided for informational purposes.

Refer to *Technical Appendix K* of this EIR for a discussion of the assumptions and model inputs used for the Project-related LOS evaluation for Existing plus Ambient Growth plus Project (EAP) traffic conditions, Existing plus Ambient Growth plus Project plus Cumulative (EAPC) traffic conditions, and Horizon Year (2040) traffic conditions.

2. Intersection Capacity LOS Analysis Methodology

The intersection LOS analysis is based on the traffic volumes observed on weekdays between 7:00 a.m. and 9:00 a.m. (a.m. peak hour) and 4:00 p.m. and 6:00 p.m. (p.m. peak hour). These AM and PM peak hours were selected for analysis because these hours typically experience the most traffic during a 24-hour period.

At signalized intersections, peak hour performance is calculated using the methodology described in the Highway Capacity Manual (HCM) (Urban Crossroads, 2021c, p. 17). Intersection performance is based on the average control delay at each leg of the intersection. Control delay includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. At signalized intersections, LOS is directly related to the average control delay per vehicle and is correlated to a LOS designation as described in Table 4.11-5. The traffic modeling and signal timing optimization software package Synchro (Version 10) is used to analyze signalized intersections capacity as specified in the HCM (Urban Crossroads, 2021c, p. 18).

At unsignalized intersections, operations were evaluated using the methodology described in the HCM (Urban Crossroads, 2021c, p. 19). At two-way or side-street stop-controlled intersections, LOS is calculated for each controlled movement and for the left turn movement from the major street, as well as for the intersection as a whole. For approaches comprising a single lane, the delay is computed as the average of all movements in that lane. For all-way stop controlled intersections, LOS is computed for the intersection as a whole. The LOS rating is based on the weighted average control delay expressed in seconds per vehicle, as shown in Table 4.11-6.



3. Roadway Segment LOS Capacity Analysis Methodology

Roadway segment operations are evaluated using the applicable average daily traffic (ADT) roadway capacity values provided in the City of Rialto’s Traffic Study Guidelines (Urban Crossroads, 2021c, p. 20). The roadway capacities utilized for the purposes of this analysis are considered “rule of thumb” estimates for planning purposes and are affected by such factors as intersections (spacing, configuration and control features), degree of access control, roadway grades, design geometrics (horizontal and vertical alignment standards), sight distance, vehicle mix (truck and bus traffic) and pedestrian bicycle traffic.

4. Project Vehicle Trip Generation

Vehicle trip generation represents the amount of traffic that is associated with a development project. Determining traffic generation for a specific project is, therefore, based upon forecasting the amount of traffic that is expected to be both attracted to and produced by the specific land uses proposed by a given project.

Project vehicle trips were calculated using the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition, 2012) trip generation rate and vehicle mix (i.e., percentage of passenger cars trips vs. truck trips) for warehouse uses (ITE Code 150) as required by the City of Rialto’s *Traffic Impact Analysis Report Guidelines and Requirements* (Urban Crossroads, 2021c, p. 40).

5. Project Vehicle Trip Distribution

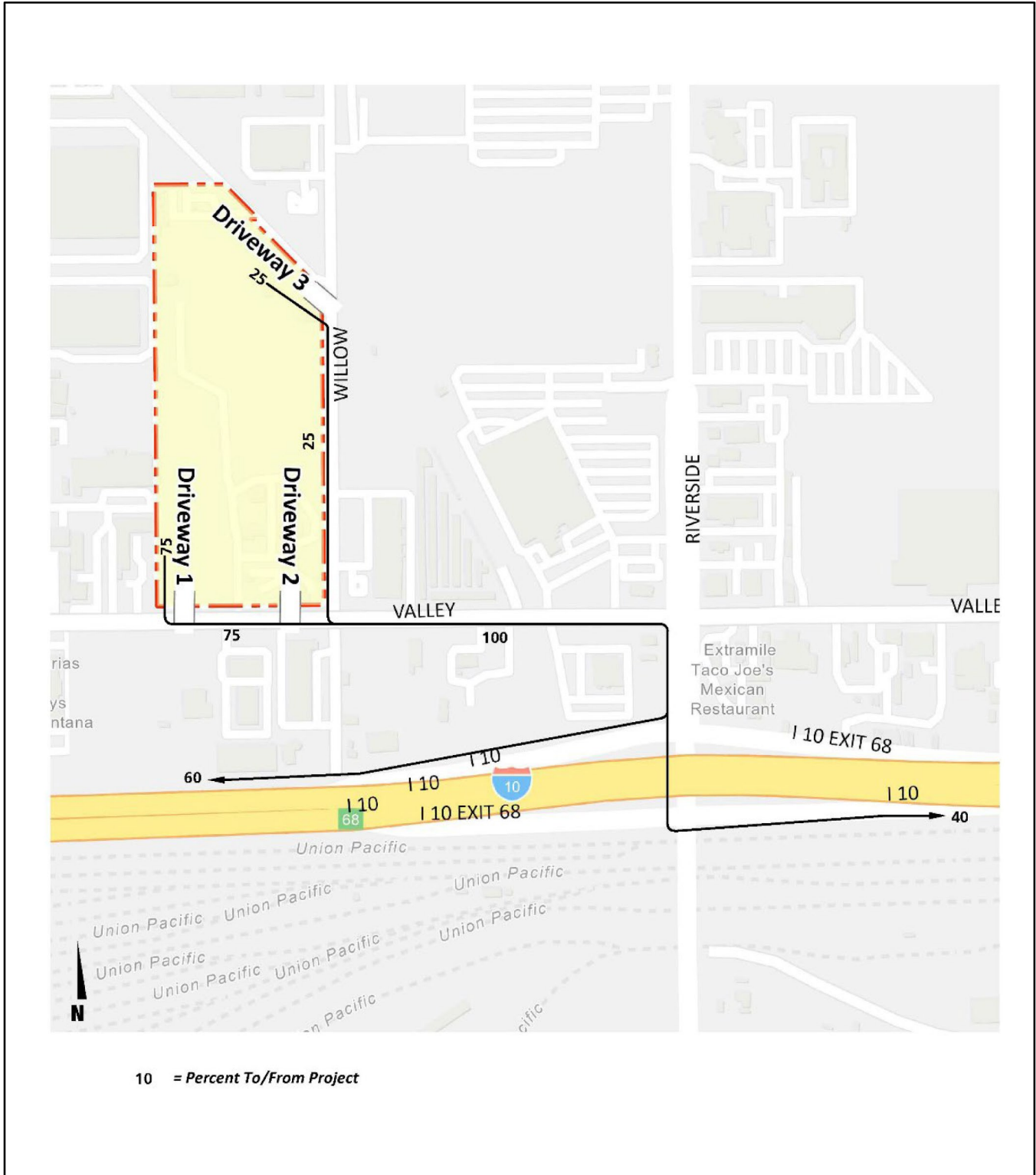
Trip distribution is the process of identifying the probable destinations, directions, or traffic routes that will be utilized by a development project’s traffic. The trip distribution for Project traffic was developed based on anticipated passenger car and truck travel patterns to-and-from the Project Site. The traffic distribution pattern for Project truck trips is illustrated on Figure 4.11-3, *Project Truck Distribution* and the traffic distribution pattern for Project passenger car trips is illustrated on Figure 4.11-4, *Project Passenger Car Trip Distribution*.

6. Cumulative Projects

The Project’s LOS analysis accounts for long-term growth in the Study Area as well as the traffic volumes from closely-related past, present, and reasonably foreseeable future projects (i.e., cumulative impact analysis). As previously described in EIR Section 4.0, *Environmental Analysis*, the Project’s LOS analysis utilizes a summary of projections approach plus a list of projects approach in order to provide a conservative analysis of cumulative traffic volumes. The location of each cumulative project can be found in Figure 4-4 of *Technical Appendix K* (as well as on EIR Figure 4.0-1).

C Hazardous Design Analysis Methodology

A review of Project access points, internal circulation, and parking access was performed to determine if the Project would substantially increase hazards due to geometric design features, including safety, operational, or capacity impacts. This analysis considered the following factors: (a) the relative amount of pedestrian activity at Project access points; (b) design features/physical configurations that affect the visibility of pedestrians and bicyclists to drivers entering and exiting the site and the visibility of cars to pedestrians and bicyclists; (c) the type of bicycle facilities the Project driveway(s) cross(es) and the relative level of utilization; (d) the physical conditions of the site and surrounding area, such as curves, slopes, walks, landscaping or other



Source(s): Urban Crossroads (12-20-2021)

Figure 4.11-3



Not to Scale

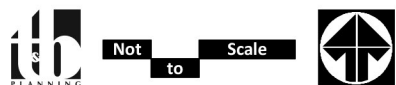


Project Truck Distribution



Source(s): Urban Crossroads (12-20-2021)

Figure 4.11-4





barriers, that could result in vehicle/pedestrian, vehicle/bicycle, or vehicle/vehicle impacts; (e) the Project location, or Project-related changes to the public right-of-way, relative to proximity to the High Injury Network or a Safe Routes to School program area; and (f) any other conditions, including the approximate location of incompatible uses that would substantially increase a transportation hazard.

D Emergency Access Analysis Methodology

In consultation with the City Planning and Fire Department, the analysis of the Project’s potential access impacts includes a review of the proposed vehicle access points and internal circulation. Construction activities and their impact on emergency access are also reviewed. A determination is made pursuant to the thresholds of significance identified above regarding the potential for these features of the Project to impede emergency access on adjacent City streets and/or result in potential safety impacts.

4.11.6 BASIS FOR DETERMINING SIGNIFICANCE

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address typical, adverse effects related to transportation that could result from development projects. The Project would result in a significant impact to the transportation system if the Project or any Project-related component would:

- a. *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*
- b. *Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?*
- c. *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?*
- d. *Result in inadequate emergency access?*

4.11.7 IMPACT ANALYSIS

Threshold “a:” Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

As previously discussed, the CEQA Guidelines Appendix G has been updated to require an analysis of a project’s potential to conflict with plans, programs, ordinances, or policies that address the circulation system, including transit, roadway, bicycle, and pedestrian facilities. A project that generally conforms with, and does not obstruct, the development plans, programs, ordinances, and policies is generally considered to be consistent. The plans, policies, programs, ordinances, and standards that are relevant to the Project are identified in the analysis below.

□ SCAG Connect SoCal

The fundamental goals of SCAG’s *Connect SoCal* are to make the SCAG region a better place to live, work, and play for all residents regardless of race, ethnicity, or income class. EIR Section 4.9, *Land Use and Planning*, addresses the Project’s consistency with *Connect SoCal* in detail. As demonstrated through that analysis, implementation of the Project would not conflict with the goals and policies of SCAG’s regional planning program, including the following goals related to vehicular and non-vehicular circulation primarily



due to its proposed improvements to the local circulation network and geographic location in proximity to major local and regional truck routes:

- Increase mobility, accessibility, reliability, and travel safety for people and goods.
- Enhance the preservation, security, and resilience of the regional transportation system.
- Increase person and goods movement and travel choices within the transportation system.
- Adapt to a changing climate and support an integrated regional development pattern and transportation network.
- Leverage new transportation technologies and data-driven solutions that result in more efficient travel.

□ City of Rialto General Plan Circulation Chapter

Provided herein is a discussion of the Project’s consistency with the applicable policies of the Circulation Chapter from the City of Rialto’s General Plan.

Policy 4-1.20 – Design City streets so that signalized intersections operate at Level of Service (LOS) D or better during the morning and evening peak hours, and require new development to mitigate traffic impacts that degrade LOS below that level. The one exception will be Riverside Avenue south of the Metrolink tracks all the way to the City’s southern border, which can operate at LOS E; and

Policy 4-1.21 – Design City streets so that unsignalized intersections operate with no vehicular movement having an average delay greater than 120 seconds during the morning and evening peak hours, and require new development to mitigate traffic impacts that increase delay above that level.

Although SB 743 and the CEQA Guidelines stipulate that environmental impact conclusions for transportation must be based on VMT (discussed in Threshold “b,” below) and not LOS, the analysis herein provides information about Project-related effects on LOS, in the context of a General Plan consistency analysis and for general informational purposes. For that purpose, the specific criteria described below are utilized to evaluate the consistency with applicable City of Rialto LOS performance standards, as specified in the City’s Traffic Study Guidelines.

- The Project would be inconsistent with LOS performance criteria if it would cause an intersection or roadway segment to degrade from LOS D or better to LOS E or F, with the exception of Riverside Drive south of the Metrolink tracks to the City’s southern border, which can operate at LOS E; and
- The Project would be inconsistent with LOS performance criteria if it would cause the peak hour delay at an intersection to increase as follows: LOS A/B = by 10.0 seconds; LOS C = by 8.0 seconds; LOS D = by 5.0 seconds; LOS E = by 2.0 seconds; or LOS F = by 1.0 second; or
- The Project would be inconsistent with LOS performance criteria if it would send 50 or more peak hour trips to an intersection or roadway segment that would operate at LOS E or F.

The Project’s LOS evaluation addresses each of the scenarios listed below:

- Existing plus Ambient Growth plus Project (EAP) (2023)



- Existing plus Ambient Growth plus Project plus Cumulative (EAPC) (2023)
- Horizon Year (2040)

The Existing plus Ambient Growth plus Project (EAP) conditions analysis identifies circulation network LOS deficiencies that would occur on the existing roadway system with the addition of Project traffic. To account for background traffic growth, an ambient growth factor of 2% per year, compounded annually, is added to existing (2021) traffic conditions.

The Existing plus Ambient Growth plus Project plus Cumulative (EAPC) conditions analysis identifies potential near-term circulation network LOS deficiencies with the addition of the Project and other cumulative development projects. To account for background traffic growth, an ambient growth factor of 2% per year, compounded annually, is added to existing (2021) traffic conditions. The list of cumulative projects included in this analysis was compiled from information provided by the City of Rialto and other nearby agencies.

The Horizon Year (2040) analysis identifies whether planned improvements funded through local and regional transportation mitigation fee programs, such as the City of Rialto DIF program and Measure “I,” can accommodate the Study Area’s expected long-term growth at the target LOS identified in the City’s General Plan Circulation Chapter.

□ Project Trip Generation

Table 4.11-7, *Project Trip Generation Summary (Actual Vehicles)*, presents the Project’s net trips for actual vehicles and Table 4.11-8, *Project Trip Generation Summary (PCE)*, presents the Project’s net trips for PCE.

Table 4.11-7 Project Trip Generation Summary (Actual Vehicles)

Trip Generation Comparison	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Proposed Project Trip Generation (Table 4-3)							
<i>Passenger Cars:</i>	71	18	89	24	71	95	1,052
<i>Trucks:</i>	47	11	58	15	47	62	700
Total:	118	29	147	39	118	157	1,752
Existing Uses Trip Generation (Table 4-1)							
<i>Passenger Cars:</i>	8	3	11	2	8	10	154
<i>Trucks:</i>	3	4	7	5	1	6	76
Total:	11	7	18	7	9	16	230
Variance (Proposed - Existing)							
<i>Passenger Cars:</i>	63	15	78	22	63	85	898
<i>Trucks:</i>	44	7	51	10	46	56	624
Total Net Increase:	107	22	129	32	109	141	1,522

Source: (Urban Crossroads, 2021c, Table 4-4)



Table 4.11-8 Project Trip Generation Summary (PCE)

Trip Generation Comparison	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Proposed Project Trip Generation (Table 4-3)							
<i>Passenger Cars:</i>	71	18	89	24	71	95	1,052
<i>Trucks:</i>	127	32	159	42	127	169	1,888
Total:	198	50	248	66	198	264	2,940
Existing Uses Trip Generation (Table 4-1)							
<i>Passenger Cars:</i>	8	3	11	2	8	10	154
<i>Trucks:</i>	8	12	20	13	2	15	202
Total:	16	15	31	15	10	25	356
Variance (Proposed - Existing)							
<i>Passenger Cars:</i>	63	15	78	22	63	85	898
<i>Trucks:</i>	119	20	139	29	125	154	1,686
Total Net Increase:	182	35	217	51	188	239	2,584

Source: (Urban Crossroads, 2021c, Table 4-5)

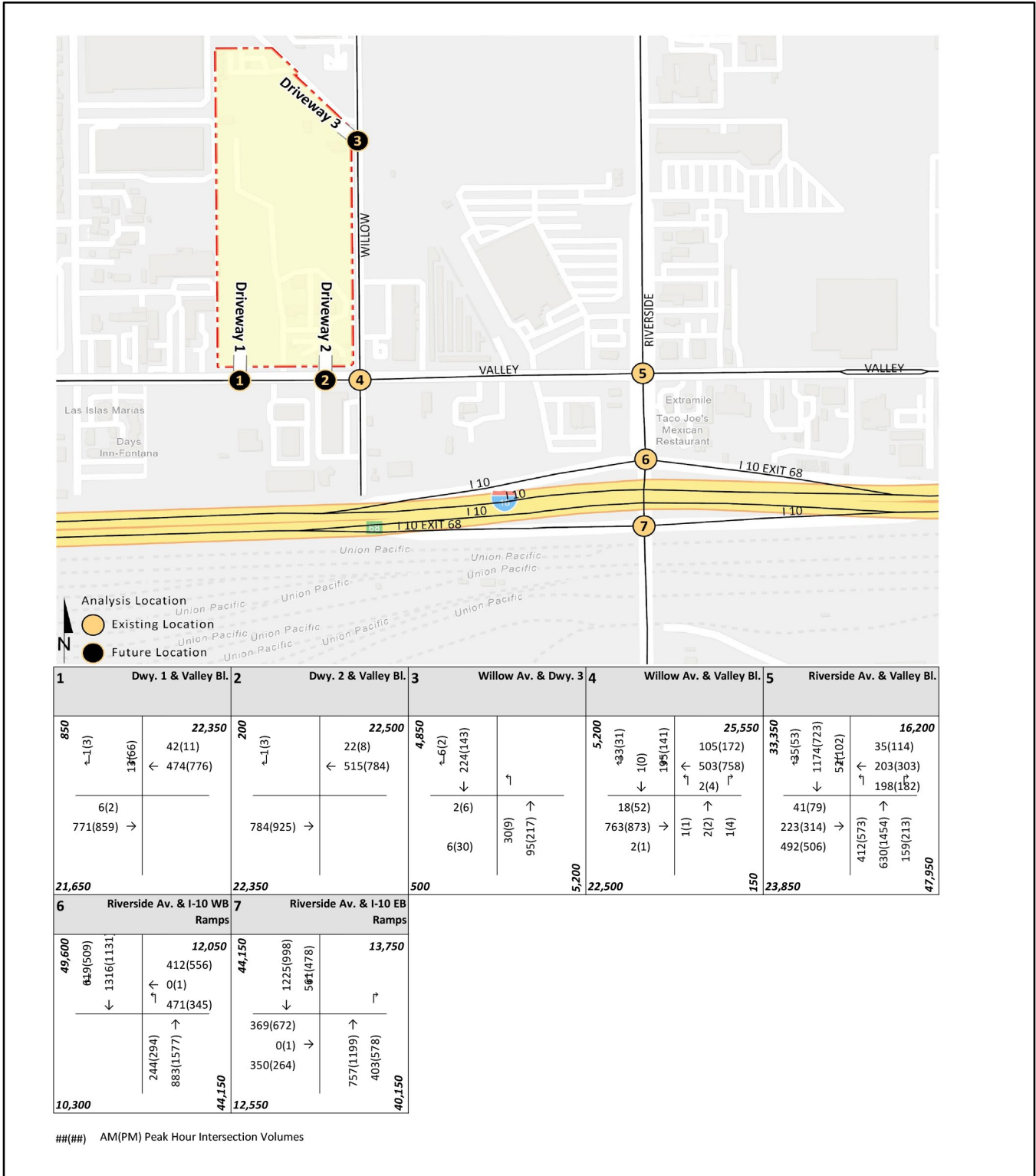
Based on the methodology described above in Subsection 4.11.5B.4, operation of the Project is calculated to generate 1,752 gross, actual daily vehicle trips, including 147 daily passenger car trips and 157 daily truck trips. After accounting for existing traffic trips to/from the Project Site, the Project is calculated to result in a net increase of 1,522 actual daily vehicle trips.

As shown in Table 4.11-8, the proposed Project is calculated to result in 2,940 gross, daily PCE trips, including 248 PCE trips in the AM peak hour and 264 PCE trips in the PM peak hour. After accounting for existing trips to/from the Project Site, the Project is calculated to result in a net increase of 2,584 PCE trip-ends per day with 217 new AM peak hour PCE trips and 239 new PM peak hour PCE trips. Unless specifically noted, the net PCE trip values shown in Table 4.11-8 are utilized throughout the LOS analysis presented in this EIR Subsection.

B Analysis of EAP (2023) Scenario

Projected weekday peak hour intersection volumes in the Study Area under EAP (2023) traffic conditions are shown on Figure 4.11-5, *EAP (2023) Peak Hour Intersection Traffic Volumes*. Table 4.11-9, *EAP (2023) Intersection Analysis*, summarizes the peak hour LOS at Study Area intersections under EAP (2023) conditions. Based on the data presented in Table 4.11-9, all Study Area intersections would operate at acceptable LOS under EAP traffic conditions, except for Intersection #5.

Intersection #5 operates at deficient LOS under Existing (2021) conditions without the Project; therefore, the Project would not be solely responsible for the deficient operations at Intersection #5. Notwithstanding, Project traffic would cause the average peak hour intersection delay at Intersection #5 to increase by more than 1.0 second during both the AM and PM peak hours, which would exceed the significance criteria established by the City of Rialto Traffic Study Guidelines. As a condition of approval, the City of Rialto would require the Project Applicant to improve Intersection #5 – by re-striping the number two eastbound through lane as a shared through-right turn lane – that ensure that Intersection #5 operates at an acceptable condition (i.e., LOS C) (Urban Crossroads, 2021c, p. 56).



Source(s): Urban Crossroads (12-20-2021)

Figure 4.11-5



Not to Scale



EAP (2023) Peak Hour Intersection Traffic Volumes



Table 4.11-9 EAP (2023) Intersection Analysis

#	Intersection	Traffic Control ²	Existing (2021)				EAP (2023)			
			Delay ¹ (secs.)		Level of Service		Delay ¹ (secs.)		Level of Service	
			AM	PM	AM	PM	AM	PM	AM	PM
1	Driveway 1 & Valley Blvd.	CSS	Future Intersection				13.9	24.5	B	C
2	Driveway 2 & Valley Blvd.	CSS	Future Intersection				10.4	11.5	B	B
3	Willow Av. & Driveway 3	CSS	Future Intersection				10.1	9.6	B	A
	-Alternative Access	CSS	Future Intersection				10.1	9.6	B	A
4	Willow Av. & Valley Blvd.	TS	10.9	10.7	B	B	11.3	11.5	B	B
5	Riverside Av. & Valley Blvd.	TS	65.4	88.8	E	F	101.2	138.0	F	F
6	Riverside Av. & I-10 WB Ramps	TS	29.3	19.2	C	B	31.9	25.3	C	C
7	Riverside Av. & I-10 EB Ramps	TS	29.0	37.2	C	D	31.6	41.0	C	D

¹ **BOLD** = Level of Service (LOS) does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).

² Per the Highway Capacity Manual (6th Edition), overall average intersection delay and level of service are shown for intersections with a traffic signal or all way stop control. For intersections with cross street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are shown.

³ CSS = Cross-street Stop; TS = Traffic Signal; **CSS** = Improvement

Source: (Urban Crossroads, 2021c, Table 5-1)

Based on data presented in Table 4.11-9, all unsignalized intersections in the Project Study Area would feature an average peak hour delay of less than 120 seconds under EAP (2023) traffic conditions.

Table 4.11-10, *EAP (2023) Roadway Segment Analysis*, summarizes daily roadway segment operations in the Study Area under EAP (2023) traffic conditions. As shown on Table 4.11-9, all roadway segments are anticipated to operate at LOS D or better under EAP (2023) traffic conditions.

Table 4.11-10 EAP (2023) Roadway Segment Analysis

#	Roadway	Segment Limits	Roadway Section	LOS Capacity ¹	Existing (2021)	V/C ²	LOS ³	EAP (2023)	V/C ²	LOS ³
1	Valley Blvd.	West of Willow Av.	4U	36,000	20,733	0.58	A	22,487	0.62	B
2		Willow Av. to Riverside Av.	4U	36,000	23,304	0.65	B	25,544	0.71	C

BOLD = LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).

¹ These maximum roadway capacities assume 9,000 vehicles per lane per day for arterials.

² V/C = Volume to Capacity Ratio

³ LOS = Level of Service

Source: (Urban Crossroads, 2021c, Table 5-2)

Based on the foregoing analysis, development of the Project would not conflict with General Plan Circulation Chapter Policies 4.1-20 or 4.1-21 under EAP (2023) traffic conditions because all Project Study Area intersections and roadway segments would operate at or above the LOS criteria defined in the General Plan.

C Analysis of EAPC (2023) Scenario

Projected weekday peak hour intersection volumes in the Study Area under EAPC (2023) traffic conditions are shown on Figure 4.11-6, *EAPC (2023) Peak Hour Intersection Traffic Volumes*. Table 4.11-11, *EAPC (2023) Intersection Analysis*, summarizes the peak hour LOS at Study Area intersections under EAPC (2023)



conditions. Based on the data presented in Table 4.11-11, all Study Area intersections would operate at acceptable LOS under EAPC (2023) traffic conditions, except for Intersections #5, #6, and #7.

Table 4.11-11 EAPC (2023) Intersection Analysis

#	Intersection	Traffic Control ²	EAPC (2023)			
			Delay ¹ (secs.)		Level of Service	
			AM	PM	AM	PM
1	Driveway 1 & Valley Blvd.	<u>CSS</u>	16.1	29.1	C	D
2	Driveway 2 & Valley Blvd.	<u>CSS</u>	11.2	11.9	B	B
3	Willow Av. & Driveway 3	<u>CSS</u>	10.4	10.3	B	B
	-Alternative Access	<u>CSS</u>	10.4	10.3	B	B
4	Willow Av. & Valley Blvd.	TS	12.6	14.6	B	B
5	Riverside Av. & Valley Blvd.	TS	164.6	191.8	F	F
6	Riverside Av. & I-10 WB Ramps	TS	65.3	54.8	E	D
7	Riverside Av. & I-10 EB Ramps	TS	87.5	123.9	F	F

* **BOLD** = Level of Service (LOS) does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).

¹ Per the Highway Capacity Manual (6th Edition), overall average intersection delay and level of service are shown for intersections with a traffic signal or all way stop control. For intersections with cross street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are shown.

² CSS = Cross-street Stop; TS = Traffic Signal; CSS = Improvement

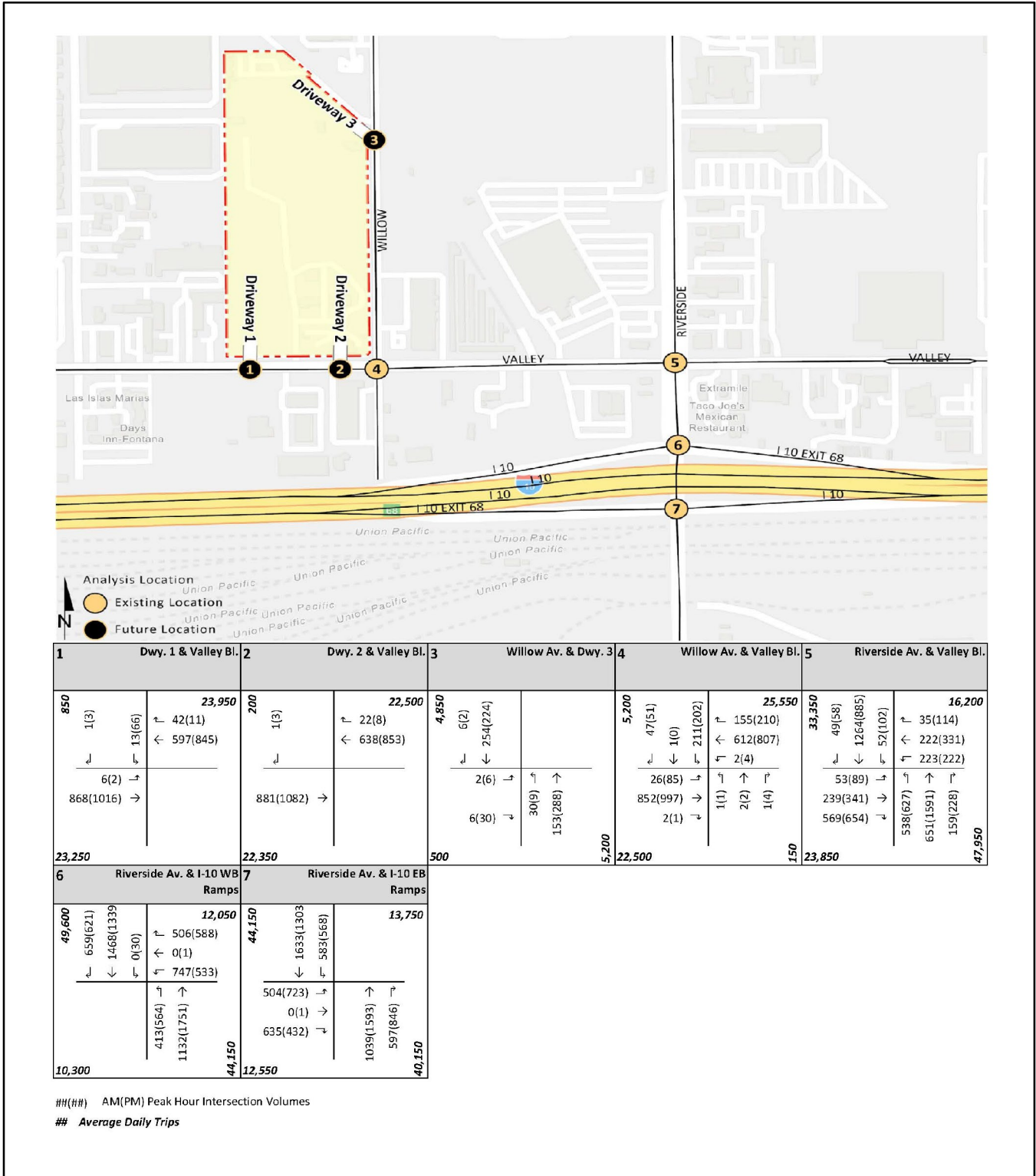
Source: (Urban Crossroads, 2021c, Table 6-1)

The Project would send more than 50 peak hour trips to Intersections #5, #6, and #7 under EAPC (2023) traffic conditions and would contribute substantially to the LOS deficiencies at these locations based on the significance criteria established by the City of Rialto Traffic Study Guidelines. As a condition of approval, the City of Rialto would require the Project Applicant to pay fair share fees to the City and Caltrans (should Caltrans create a fair share funding program) for the following improvements:

- Intersection #5: Re-striping the number two eastbound through lane as a shared through-right turn lane;
- Intersection #6: Re-striping the southbound through lane to provide a southbound shared through-right turn lane; and
- Intersection #7: Addition of northbound free-right turn lane.

Installation of the improvements listed above by the City of Rialto (Intersection #5) and the City and Caltrans (Intersections #6 and #7) would ensure that Intersections #5, #6, and #7 operate at an acceptable condition (LOS D or better) (Urban Crossroads, 2021c, p. 63).

Based on data presented in Table 4.11-11, all unsignalized intersections in the Project Study Area would feature an average peak hour delay of less than 120 seconds under EAPC (2023) traffic conditions.



Source(s): Urban Crossroads (12-20-2021)

Figure 4.11-6



Not to Scale





Table 4.11-12, *EAPC (2023) Roadway Segment Analysis*, summarizes daily roadway segment operations in the Study Area under EAPC (2023) traffic conditions. As shown on Table 4.11-12, all roadway segments are anticipated to continue to operate at LOD D or better under EAPC (2023) traffic conditions.

Table 4.11-12 EAPC (2023) Roadway Segment Analysis

#	Roadway	Segment Limits	Roadway Section	LOS Capacity ¹	EAPC (2023)	V/C ²	LOS ³
1	Valley Blvd.	West of Willow Av.	4U	36,000	24,297	0.67	B
2		Willow Av. to Riverside Av.	4U	36,000	27,840	0.77	C

¹ These maximum roadway capacities assume 9,000 vehicles per lane per day for arterials.

² V/C = Volume to Capacity Ratio

³ LOS = Level of Service

Source: (Urban Crossroads, 2021c, Table 6-2)

Based on the foregoing analysis, development of the Project would not conflict with General Plan Circulation Chapter Policies 4.1-20 or 4.1-21 under EAPC (2023) traffic conditions because all Project Study Area intersections and roadway segments would operate at or above the LOS criteria defined in the General Plan.

D Analysis of Horizon Year (2040) Scenario

Projected weekday peak hour intersection volumes in the Study area under Horizon Year (2040) traffic conditions are shown on Figure 4.11-7, *Horizon Year (2040) Peak Hour Intersection Traffic Volumes*. Table 4.11-13, *Horizon Year (2040) Intersection Analysis*, summarizes the peak hour LOS at Study Area intersections under Horizon Year (2040) conditions. Based on the data presented in Table 4.11-13, all Study Area intersections would operate at acceptable LOS under Horizon Year (2040) traffic conditions, except for Intersections #5, #6, and #7.

Table 4.11-13 Horizon Year (2040) Intersection Analysis

#	Intersection	Traffic Control ²	2040 Without Project				2040 With Project				Difference in Delay	
			Delay ¹ (secs.)		Level of Service		Delay ¹ (secs.)		Level of Service		AM	PM
			AM	PM	AM	PM	AM	PM	AM	PM		
1	Driveway 1 & Valley Blvd.	CSS	Future Intersection				16.6	18.0	C	C	----	----
2	Driveway 2 & Valley Blvd.	CSS	Future Intersection				11.4	12.3	B	B	----	----
3	Willow Av. & Driveway 3	CSS	Future Intersection				10.7	10.6	B	B	----	----
	-Alternative Access	CSS	Future Intersection				10.6	10.6	B	B	----	----
4	Willow Av. & Valley Blvd.	TS	13.0	25.2	B	C	13.6	25.8	B	C	0.6	0.6
5	Riverside Av. & Valley Blvd.	TS	150.4	>200.0	F	F	193.2	>200.0	F	F	42.8	----
6	Riverside Av. & I-10 WB Ramps	TS	84.4	55.6	F	E	88.3	69.4	F	E	3.9	13.8
7	Riverside Av. & I-10 EB Ramps	TS	122.0	152.7	F	F	122.0	164.1	F	F	0.0	11.4

¹ **BOLD** = Level of Service (LOS) does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).

¹ Per the Highway Capacity Manual (6th Edition), overall average intersection delay and level of service are shown for intersections with a traffic signal or all way stop control. For intersections with cross street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are

² CSS = Cross-street Stop; AWS = All-Way Stop; TS = Traffic Signal; **IS** = Improvement

Source: (Urban Crossroads, 2021c, Table 7-1)



1 Dwy. 1 & Valley Bl.		2 Dwy. 2 & Valley Bl.		3 Willow Av. & Dwy. 3		4 Willow Av. & Valley Bl.		5 Riverside Av. & Valley Bl.	
1,750 ←1(3)	27,150 42(11) ← 614(914)	400 ←1(3)	25,650 22(8) ← 655(922)	5,450 ←6(2) 280(246)		6,450 ←52(56) 2(0)	29,400 167(231) 624(871) 4(8)	36,700 ←38(68) 1,444(974)	17,850 38(127) 229(358) 245(244)
6(2) 919(1088) →		932(1154) →		2(6) 6(30)	30(9) 168(317) →	29(93) 899(1059) → 4(2)	1(2) 2(3) 1(6)	47(101) 249(363) → 613(701)	571(682) 716(1750) → 175(251)
25,700		25,350		1,100	6,150	25,650		200	55,700
6 Riverside Av. & I-10 WB Ramps		7 Riverside Av. & I-10 EB Ramps							
55,800 725(678) 1717(1503) 0(83)	13,550 553(646) 0(1) 822(587)	55,450 1893(1445) 646(645)	15,400						
454(621) 1228(1920)		550(794) 0(1) → 698(475)	1130(1855) → 656(931)						
11,700	55,450	14,150	53,350						

###(##) AM(PM) Peak Hour Intersection Volumes
Average Daily Trips

Source(s): Urban Crossroads (12-20-2021)

Figure 4.11-7



Not to Scale



Horizon Year (2040) Peak Hour
Intersection Traffic Volumes



The Project would send more than 50 peak hour trips to Intersections #5, #6, and #7 under Horizon Year (2040) traffic conditions and would contribute substantially to the LOS deficiencies at these locations based on the significance criteria established by the City of Rialto Traffic Study Guidelines. As a condition of approval, the City of Rialto would require the Project Applicant to pay fair share fees to the City and Caltrans (should Caltrans create a fair share funding program) for the following improvements:

- Intersection #5: Re-striping the number two eastbound through lane as a shared through-right turn lane;
- Intersection #6: Re-striping the southbound through lane to provide a southbound shared through-right turn lane and modification of traffic signal to 120 second cycle; and
- Intersection #7: Addition of northbound free-right turn lane and modification of traffic signal to 120 second cycle.

Installation of the improvements listed above by the City (Intersection #5) and the City and Caltrans (Intersections #6 and #7) would ensure that Intersections #5, #6, and #7 operate at an acceptable condition (LOS D or better) (Urban Crossroads, 2021c, p. 71).

Based on the data presented in Table 4.11-13, all unsignalized intersections in the Project Study Area would feature an average peak hour delay of less than 120 seconds under Horizon Year (2040) traffic conditions.

Table 4.11-14, *Horizon Year (2040) Roadway Segment Analysis*, summarizes daily roadway segment operations in the Study Area under Horizon Year (2040) traffic conditions. As shown on Table 4.11-14, all roadway segments are anticipated to continue to operate at LOD D or better under Horizon Year (2040) traffic conditions.

Table 4.11-14 Horizon Year (2040) Roadway Segment Analysis

#	Roadway	Segment Limits	Roadway Section	LOS Capacity ¹	2040 Without Project	V/C ²	LOS ³	2040 With Project	V/C ²	LOS ³
1	Valley Blvd.	West of Willow Av.	4U	36,000	24,497	0.68	B	26,413	0.73	C
2		Willow Av. to Riverside Av.	4U	36,000	28,974	0.80	C	30,272	0.84	D

BOLD = LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).

¹ These maximum roadway capacities assume 9,000 vehicles per lane per day for arterials.

² V/C = Volume to Capacity Ratio

³ LOS = Level of Service

Source: (Urban Crossroads, 2021c, Table 7-2)

Based on the foregoing analysis, development of the Project would not conflict with General Plan Circulation Chapter Policies 4.1-20 or 4.1-21 under Horizon Year (2040) traffic conditions because all Project Study Area intersections and roadway segments would operate at or above the LOS criteria defined in the General Plan.

Policy 4-2.1– Locate new development and their access points in such a way that traffic is not encouraged to utilize local residential streets for access to the development and its parking.

Access to the Project Site would be provided from two arterial thoroughfares, Valley Boulevard and Willow Avenue. Access to the Project Site is neither provided from local residential streets nor would the Project’s



design encourage Project-related traffic from utilizing local residential streets. The Project would not conflict with General Plan Circulation Chapter Policy 4-2.1.

Policy 4-6.3 – Require major developments to include bus turnouts, bus shelters, and other transit facilities as appropriate.

Omnitrans provides public transit service to the City of Rialto. Omnitrans does not operate any routes along Valley Boulevard or Willow Avenue; therefore, there is no need for the Project to provide bus turnouts, bus shelters, or other transit facilities along its public street frontages. The Project would not conflict with General Plan Circulation Chapter Policy 4-6.3.

Policy 4-8.5 – Require major developments to include bicycle storage facilities, including bicycle racks and lockers.

In accordance with the California Green Building Standards Code (CALGreen, Title 24, Part 11 of the California Code of Regulations), bicycle parking will be provided on the Project Site for use by employees and visitors to the Project Site. The Project would not conflict with General Plan Circulation Chapter Policy 4-8.5.

Policy 4-9.1 – Install sidewalks where they are missing, and make improvements to existing sidewalks for accessibility purposes. Priority should be given to needed sidewalk improvement near schools and activity centers. Provide wider sidewalks in areas with higher pedestrian volumes;

Policy 4-9.2 – Require sidewalks and parkways on all streets in new development;

Policy 4-9.3 – Provide pedestrian-friendly and safety improvements, such as crosswalks and pedestrian signals, in all pedestrian activity areas;

Policy 4-9.4 – Accommodate pedestrians and bicyclists — in addition to automobiles — when considering new development projects; and

Policy 4-9.6 – Encourage new development to provide pedestrian paths through projects, with outlets to adjacent collectors, secondaries, and arterial roadways.

The Project retains the existing sidewalk along the Project Site frontage with Willow Avenue and provides a new sidewalk along the Project Site frontage with Valley Boulevard. The type of traffic generated by the Project (i.e., passenger cars and trucks) would be compatible with the type of existing traffic on Project Study Area roadways. In addition, all proposed improvements within the public right-of-way would be installed in conformance with City engineering and design standards. The City of Rialto Public Works Department reviewed the Project's proposal and determined that no Project design feature would pose a hazard to pedestrians or bicyclists. The Project would not conflict with General Plan Circulation Chapter Policies 4-9.1, 4-9.2, 4-9.3, 4-9.4, or 4-9.6.



Policy 4-9.7 – Require ADA compliance on all new or modified handicap ramps.

The Project provides Americans with Disabilities Act (ADA)-compliant paths of travel on-site to and from the building from parking and loading areas. In addition, sidewalks and ramps along the Project Site frontage with Valley Boulevard and Willow Avenue – including sidewalks and ramps modified by proposed improvements to the northwest and northeast corners of the Valley Boulevard and Willow Avenue intersection – would meet minimum ADA requirements. The Project would not conflict with General Plan Circulation Chapter Policy 4-9.7.

Policy 4-10. 1 – Designate and enforce truck routes for use by commercial trucking as part of the project approval process.

Tractor-trailers would utilize Valley Boulevard to access the Project Site from I-10 (from the Riverside Avenue interchange). Pursuant to General Plan Exhibit 4.5, the Valley Boulevard segment between Riverside Avenue and the Project Site is a City-designated truck route. The Project would not conflict with General Plan Circulation Chapter Policy 4-10.1.

Policy 4-10.4 – Encourage the development of adequate on-site loading areas to minimize interference of truck loading activities with efficient traffic circulation on adjacent roadways.

The Project provides a secured loading area interior to the Project Site with dock high doors and tractor-trailer parking spaces. The loading area is separated from the public right-of-way and loading/unloading activities that would occur in the loading area would not interfere with traffic circulation along Valley Boulevard or Willow Avenue. The Project would not conflict with General Plan Circulation Chapter Policy 4-10.4.

□ Conclusion

As discussed in the preceding analysis, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant.

Threshold “b:” Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

As previously discussed, SB 743, approved in 2013, changed the way transportation impacts are determined according to CEQA. Updates to the CEQA Guidelines that were approved by the State in December 2018 included the addition of CEQA Guidelines Section 15064.3, of which Subdivision “b” establishes criteria for evaluating a project’s transportation impacts based on project type and using automobile VMT as the metric. As a component of OPR’s revisions to the CEQA Guidelines, lead agencies were required to utilize VMT thresholds of significance by July 1, 2020. Because the City of Rialto is currently in development of City-specific VMT analysis guidelines and impact thresholds, the Project’s analysis relies on the City’s draft VMT guidelines, which are consistent with the SBCTA’s *Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment* (SBCTA Guidelines).



In accordance with the City’s draft VMT guidelines, VMT impacts are evaluated against a service population metric. For non-residential projects, like the proposed Project, the service population is considered to be the number of employees supported by the Project. Employment projections for the Project estimate up to 542 full-time equivalent employees and 639 actual employees for the Project (DPFG, 2021). The figure of actual employees is considered to be the Project’s service population and includes a combination of full time, part time and seasonal jobs.

Table 4.11-15, *Project VMT Analysis: Home-Based Work Trips*, summarizes the baseline VMT for the Project’s TAZ and the Project’s estimated home-based work VMT per service population (i.e., per employee).

Table 4.11-15 Project VMT Analysis: Home-Based Work Trips

	Baseline	Cumulative
Regional Threshold	17.33	17.33
Project	15.97	15.65
Percent Below Threshold	-7.84%	-9.69%
Potentially Significant?	No	No

Source: (Urban Crossroads, 2021d, Table 3)

As shown, the Project’s home-based work VMT per service population is 15.97 miles, which is approximately 8 percent below the regional baseline VMT of 17.33 miles. Pursuant to the City’s draft significance threshold, the Project’s home-based work VMT is considered to be less than significant.

Table 4.11-16, *Project VMT Analysis: Total Trips*, summarizes the baseline total VMT for the Project’s TAZ and the Project’s total VMT per service population (i.e., per employee).

Table 4.11-16 Project VMT Analysis: Total Trips

	Baseline	Cumulative
Regional Threshold	33.2	33.2
Project	59.89	60.19
Percent Above/Below Threshold	+80.39%	+81.30%
Potentially Significant?	Yes	Yes

Source: (Urban Crossroads, 2021d, Table 6)

As shown, the Project’s total VMT per service population is 59.89 miles, which is approximately 80 percent above the regional baseline total VMT of 33.2 miles. Based on the project-specific significance threshold utilized in this EIR, the Project’s total VMT is considered to be significant.

Threshold “c:” Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

The type of traffic generated by the Project (i.e., passenger cars and trucks) would be compatible with the type of existing traffic on Project Study Area roadways, as the surrounding area is already developed – or planned for – industrial and commercial land uses. In addition, all proposed improvements within the public right-of-way, including Project driveways and striping and lane transitions adjacent to Project driveways, would be



installed in conformance with City roadway design standards. The proposed modifications to the curb radius at the northwest and northeast corners of the intersection of Valley Boulevard and Willow Avenue would ensure safe turning movements for trucks traveling to and from the Project Site while also providing safe pedestrian travel through the intersection. The City of Rialto Public Works Department reviewed the Project's application materials – including truck template turning movement exhibits for the intersection of Valley Boulevard and Willow Avenue – and determined that no hazardous transportation design features would be introduced by the Project. Accordingly, the proposed Project would not create or substantially increase safety hazards due to a design feature or incompatible use. No impact would occur.

Threshold “d:” Would the Project result in inadequate emergency access?

The City of Rialto reviewed the Project's design and confirmed that the Project's design provides adequate access to-and-from the Project Site for emergency vehicles and also that development of the Project would not interfere with the circulation of emergency vehicles along public streets that abut the Site. The City also confirmed that the Project's design provides internal paths of travel that are adequate for emergency vehicles. Lastly, the City will review all future Project construction drawings as part of the building permit review and approval process to ensure that adequate emergency access is maintained along abutting public streets during construction activities. Specifically, all Project construction materials and equipment would be stored/staged on the Project Site and would not interfere with emergency vehicles traveling along Valley Boulevard or Willow Avenue. Any Project construction activities that would occur within the Valley Boulevard and Willow Avenue public rights-of-way and requires a partial or full closure of a sidewalk or vehicle travel lane would require a traffic control plan that complies with the *California Manual on Uniform Traffic Control Devices* and that must be approved by the City of Rialto to ensure that emergency response is not adversely affected. Based on the Project's design and required adherence to City requirements for emergency vehicle access, no impact would occur.

4.11.8 CUMULATIVE IMPACT ANALYSIS

This cumulative analysis considers the Project's effects in conjunction with the 37 proposed/pending development projects within the general vicinity of the Project Site – although none are located adjacent to the Project Site – and long-term buildout of the Project region.

The analysis under Threshold “a” discloses the Project's potential to conflict with General Plan Circulation Chapter Policy 4-1.20, which relates to the performance of the transportation network – including LOS standards, on a cumulative basis. As disclosed under the analysis of Threshold “a,” the Project would contribute to LOS deficiencies that exceed applicable General Plan performance policies for the local roadway network at three Project Study Area intersections under EAPC (2023) and Horizon Year (2040) traffic conditions; but, the City will apply conditions of approval that require the Project Applicant to make fair share payments that offset the Project's traffic contributions and will assist in the funding of improvements that are needed to restore the affected Study Area intersections to acceptable LOS. Based on the analysis provided in this Subsection, the Project would not conflict with General Plan Circulation Chapter Policy 4-1.20.

Table 4.11-15 summarizes the baseline VMT for the Project's TAZ and the Project's estimated home-based work VMT per service population (i.e., per employee) under cumulative conditions. As shown, the Project's cumulative home-based work VMT per service population is 15.65 miles, which is approximately 10 percent



below the regional baseline VMT of 17.33 miles. Pursuant to the City’s draft significance threshold, the Project’s home-based work VMT is considered not to be cumulatively considerable because it does not exceed the regional baseline.

Table 4.11-16 summarizes the baseline total VMT for the Project’s TAZ and the Project’s estimated total VMT per service population (i.e., per employee) under cumulative conditions. As shown, the Project’s cumulative total VMT per service population is 60.19 miles, which is approximately 81 percent above the regional baseline of 33.2 miles. Pursuant to the project-specific threshold utilized in this EIR, the Project’s total VMT is considered to be cumulatively considerable because it exceeds the regional baseline.

The Project would not contribute to a significant cumulative impact under the topics discussed under Thresholds “c” and “d” because the Project is not located adjacent to any cumulative development Project (the Project is 0.25-mile west of the nearest cumulative project) would not cause or exacerbate existing transportation design safety concerns or adversely affect emergency access.

4.11.9 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold “a:” Less-than-Significant Impact. The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system such that the Project would result in a significant impact on the environment. Although the Project would contribute to traffic volumes at three intersections that would operate at a deficient LOS, in potential conflict with General Plan Circulation Chapter Policy 4-1.20, which relates to LOS criteria, SB 743 and the CEQA Guidelines stipulate that LOS is not to be used as a criteria for determining significant effects on the environment. Further, City-required fair share payments would ensure that the Project remains consistent with General Plan Circulation Chapter Policy 4-1.20.

Threshold “b:” Significant Direct and Cumulatively-Considerable Impact. Due to the Project Site’s location, the Project’s employees are calculated to need to travel shorter distances to and from the Project Site than the average daily distance traveled by workers and residents in the region. Notwithstanding, the Project’s operations are calculated to generate substantial total VMT, which would exceed the regional baseline.

Threshold “c:” No Impact. No significant transportation safety hazards would be introduced as a result of the proposed Project.

Threshold “d:” No Impact. Adequate emergency access would be provided to the Project Site during construction and long-term operation. The Project would not result in inadequate emergency access to the site or surrounding properties.

4.11.10 MITIGATION

- MM 4.11-1 Prior to issuance of occupancy permits, the City of Rialto shall confirm that future tenant improvements include end-of-trip facilities (which may include showers and locker rooms) that would promote biking to work.
- MM 4.11-2 Prior to issuance of occupancy permits, the Project Applicant or successor in interest shall provide the City of Rialto with an information packet that will be provided to future building



occupants that: 1) provides information regarding the benefits of trip reduction programs, including pricing workplace parking and employee parking cash-out programs, and how such programs could be administered for future building occupants to consider implementing.

MM 4.2-9, which requires the creation of a transit and carpooling incentive program, also shall apply (refer to Subsection 4.2, *Air Quality*).

4.11.11 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold “b:” Significant and Unavoidable Direct and Cumulatively-Considerable Impact. Under the most favorable circumstances, the mitigation measures provided by this EIR can realize a maximum reduction of 45 percent in home-based work VMT (Urban Crossroads, 2021d, p. 8). Under this maximum effectiveness scenario, the Project would realize a VMT reduction of approximately 7 miles per service population trip, which would not be sufficient to reduce the Project’s total VMT impact to a less-than-significant level. There is no feasible mitigation to reduce VMT from heavy truck trips, which is more inelastic than home-based work VMT and is driven by requirements for business operations (for example, the fixed distance between a warehouse building site and local ports). Improvements capable of reducing VMT include the construction of pedestrian network improvements, removal of physical barriers to pedestrian circulation, and provision of design features that encourage people to walk or bike instead of drive. As discussed in this Subsection and in EIR Section 3.0, *Project Description*, various design features are included in the Project to encourage pedestrian and bicycle activity (sidewalks and bicycle parking). Further, and as noted in EIR Subsection 4.2, *Air Quality*, if more than 250 people are employed at the Project Site, the user/operator would be subject to compliance with SCAQMD Rule 2202, which requires the establishment of a transportation demand management program to reduce employee-related vehicle trips. Encouraging businesses to allow telecommuting and alternative work week hours also can reduce VMT, but the City of Rialto neither has the jurisdictional authority to mandate the businesses practices of private enterprises nor is it feasible for the City to monitor these practices. For these reasons, mitigation to further reduce the Project’s total VMT is not feasible.



4.12 TRIBAL CULTURAL RESOURCES

The analysis in this Subsection is primarily based on a Cultural Resources Records Search, dated January 6, 2021, performed by BFSA and included as *Technical Appendix C* to this EIR. The analysis in this Subsection also contains information obtained by the City during consultation with local Native American tribal representatives. All references used in this Subsection are listed in EIR Section 7.0, *References*.

Confidential information has been redacted from *Technical Appendix C* for purposes of public review. In addition, much of the written and oral communication between Native American tribes, the City, and BFSA is considered confidential in respect to places that may have traditional tribal cultural significance (Government Code Section 65352.4), and although relied upon in part to inform the preparation of this EIR Subsection, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (California Code Regulations Section 15120(d)).

4.12.1 EXISTING CONDITIONS

A *Project Site Conditions*

The entire Project Site is developed/disturbed and used for the outdoor storage of trailers, construction equipment, and construction materials. The Project Site also contains several structures and outbuildings used for storage and offices for the businesses operating on-site.

BFSA conducted an archaeological records search through the South Central Coastal Information Center (SCCIC) at California State University (CSU), Fullerton (BFSA, 2021, p. 1). The records search provided information regarding previous archaeological studies in the Project area and any previously recorded prehistoric sites within a one-mile radius of the Project Site (*ibid*). The results of this records search indicate three prehistoric sites – one lithic scatter and two isolates – were recorded within a one-mile radius of the site, and no prehistoric artifacts have been previously recorded on the Project Site (*ibid*).

B *Regional Setting*

Refer to Subsection 4.3, *Cultural Resources*, for the prehistoric period cultural setting for the Inland Empire region and the Rialto area.

4.12.2 REGULATORY SETTING

The following is a brief description of the State environmental laws and related regulations governing the protection of tribal cultural resources.

A *State Plans, Policies, and Regulations*

1. *Traditional Tribal Cultural Places Act (Senate Bill 18, "SB 18")*

Senate Bill 18 (SB 18) requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places (“cultural places”) through local land use planning. SB 18 requires local governments to consult with tribes prior to making certain planning decisions



and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to adoption and amendment of both general plans and specific plans. SB 18 also requires the Governor’s Office of Planning and Research (OPR) to include in the General Plan Guidelines advice to local governments for how to conduct these consultations. (OPR, 2005).

The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level land use decisions are made by a local government.

2. Assembly Bill 52 (AB 52)

California AB 52 (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. The legislature added new requirements regarding tribal cultural resources in AB 52. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources (OPR, 2017a). By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process.

The Public Resources Code now establishes that “[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.” (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project (Pub. Resources Code, Section 21080.3.1.).

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. PCR Section 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources.

Section 21074 of the Public Resources Code defines “tribal cultural resources.” In brief, in order to be considered a “tribal cultural resource,” a resource must be either:

- (1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or
- (2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource.



In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe. (OPR, 2017b)

3. State Health and Safety Code

California Health and Safety Code (HSC) Section 7050.5(b) requires that excavation and disturbance activities must cease “In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery...” until the coroner can determine regarding the circumstances, manner, and cause of any death (CA Legislative Info, 1987). The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. Section 7051 specifies that the removal of human remains from “internment or a place of storage while awaiting internment” with the intent to sell them or to dissect them with “malice or wantonness” is a public offense punishable by imprisonment in a state prison. Lastly, HSC Sections 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that “all California Indian human remains and cultural items are to be treated with dignity and respect.” It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims.

California Health and Safety Code, Section 5097.98 states that whenever the commission receives notification of a discovery of Native American human remains pursuant to HSC subdivision (c) of Section 7050.5, it shall immediately notify those persons that are the most likely descendants. The descendants may inspect the site and make recommendations to the landowner as to the treatment of the human remains. The landowner shall ensure that the immediate vicinity around the remains is not damaged or disturbed by further development activity until coordination has occurred with the descendants regarding their recommendations for treatment, taking into account the possibility of multiple human remains. The descendants shall complete their inspection and make recommendations within 48 hours of being granted access to the site. (CA Legislative Info, n.d.)

4. California Code of Regulations Section 15064.5

The California Code of Regulations, Title 14, Chapter 3, Section 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in CEQA Guidelines Section 15064.5, as follows:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4850 *et seq.*).
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically



or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4852) including the following:
 - Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
 - Is associated with the lives of persons important in our past;
 - Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 - Has yielded, or may be likely to yield, information important in prehistory or history.
- The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1.

4.12.3 METHODOLOGY FOR EVALUATING TRIBAL CULTURAL RESOURCES IMPACTS

The analysis of tribal cultural resources is based on a cultural resources records search through SCCIC at CSU Fullerton, historic background research, a review of historic aerial photographs, and a visit to the Project Site. In addition, this analysis is based on consultation between the City and interested Native American tribes pursuant to SB 18 and AB 52.

4.12.4 BASIS FOR DETERMINING SIGNIFICANCE

The thresholds below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to tribal cultural resources that could result from development projects. The Project would result in a significant impact to tribal cultural resources if the Project or any Project-related component would:

- a. *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:*



- i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).*
- ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

4.12.5 IMPACT ANALYSIS

Threshold a: *Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

- i. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*
- ii. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

No prehistoric resource sites, features, places, or landscapes were identified on the Project Site that are either listed or eligible for listing in the California Register of Historic Places. To be eligible for the Register, a resource must include the following:

- (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*
- (B) Is associated with the lives of persons important in our past;*
- (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
- (D) Has yielded, or may be likely to yield, information important in prehistory or history. (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4852)*

No tribal cultural resources were identified on the Project Site that meet any of the four criteria listed above to be eligible for the California Register and no prehistoric resource sites or isolates are known to exist on the Project Site (BFSA, 2021, p. 1). Furthermore, no substantial evidence was presented to or found by the City during the tribal consultation process that led to the identification of any features or resources on the Project Site that in the City’s discretion had the potential to be considered a tribal cultural resource.



As part of the SB 18/AB 52 consultation process required by State law, the City sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project area. One tribe, Gabrieleño Band of Mission Indians – Kizh Nation, requested consultation. During the course of the tribal consultation process, Gabrieleño Band of Mission Indians – Kizh Nation did not provide the City with substantial evidence indicating that tribal cultural resources, as defined in Public Resources Code Section 21074, are present on the Project Site or have been found previously on the Project Site. Notwithstanding, due to the Project Site’s location in an area where Native American tribes are known to have a cultural affiliation, the Gabrieleño Band of Mission Indians – Kizh Nation indicated that there is the possibility that prehistoric archaeological resources, including tribal cultural resources, could be encountered during ground-disturbing construction activities. Although the inadvertent discovery of buried/masked tribal cultural resources on the Project Site is considered unlikely due to the pervasive, historic and on-going disturbances that have occurred on the Project Site, the Site contains undisturbed soils approximately 5.5 feet below the ground surface where tribal cultural resources could potentially be discovered. Were a tribal cultural resource, as defined in Public Resources Code Section 21074, to be found on the Project Site during construction – and not protected – a significant impact would occur. Mitigation is required.

As discussed under EIR Subsection 4.3, the Project site does not contain a known cemetery site and human remains have not been previously discovered on the site. Mandatory compliance with State law (California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98) would ensure that, in the unlikely event that human remains are discovered during Project construction, the remains would be identified in accordance with proper protocols and the remains would be treated or disposed with appropriate dignity. Accordingly, the Project would not result in a substantial adverse effect to tribal cultural resources associated with human remains.

4.12.6 CUMULATIVE IMPACT ANALYSIS

The potential for Project construction to result in cumulatively-considerable impacts to tribal, religious, and cultural resources were analyzed in conjunction with other projects located in southwestern San Bernardino County that occur in the same tribal influence areas as the Project Site (refer to Figure 4.0-1). The other development projects within this area would have a similar potential to uncover tribal cultural resources during construction activities. Therefore, the potential for Project construction to impact tribal cultural resources is a cumulatively-considerable impact for which mitigation is required.

4.12.7 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Significant Direct and Cumulatively-Considerable Impact. The Project Site does not contain any recorded, significant tribal cultural resource sites; therefore, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources. Nonetheless, Project construction activities have the potential to unearth and adversely impact tribal cultural resources that may be buried at the Project Site.



4.12.8 MITIGATION

At the request of the Gabrieleño Band of Mission Indians – Kizh Nation, the following mitigation measures are required to ensure that the Project does not result in inadvertent, adverse effects to tribal cultural resources during construction.

- MM 4.12-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities
- A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
 - B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
 - C. On the days the monitor is present, the monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.
 - D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.
 - E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.



MM 4.12-2 Unanticipated Discovery of Human Remains and Associated Funerary Objects

- A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.
- B. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.
- C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, unless the Kizh determines in its reasonable discretion that resuming construction activities at that distance is not acceptable, and provides an alternative distance or other mitigation measures the Kizh monitor and/or archaeologist deems necessary in their reasonable discretion. (CEQA Guidelines Section 15064.5(f).)
- E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.
- F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

MM 4.12-3 Procedures for Burials and Funerary Remains:

- A. As the Most Likely Descendant (“MLD”), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.
- B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.



- C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.
- D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every reasonable effort to recommend diverting the project around the immediate area of where the human remains are discovered and keeping the remains in situ and protected, if feasible. If the project cannot be diverted, the burials may be removed.
- E. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site in the immediate area of where the human remains are discovered, the landowner shall arrange a designated site location within the footprint of the project, if feasible, for the respectful reburial of the human remains and/or ceremonial objects.
- F. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.
- G. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

4.12.9 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold a: Less-than-Significant with Mitigation Incorporated. Implementation of MM 4.12-1 through MM 4.12-3 would ensure the proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development. With implementation of the required mitigation, the Project's potential impact to significant tribal cultural resources would be reduced to less-than-significant.



4.13 UTILITIES & SERVICE SYSTEMS

This Subsection addresses the topics of water service and supply, wastewater collection and treatment, stormwater drainage facilities, dry utilities, and solid waste collection and disposal. The information contained herein is based on publicly available information provided by local service providers and State oversight agencies. All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.13.1 EXISTING CONDITIONS

A Water Service

The Project Site and surrounding area receives domestic water service from the City via Rialto Water Services (RWS). RWS is a retail member agency of the San Bernardino Valley Municipal Water District (Valley District). RWS provides water service to approximately one-half of the population of the City (WSC, 2021, p. 5-1)¹. The RWS' water supplies sources include Lytle Creek, local groundwater, and wholesale purchases from the Valley District (ibid). Under existing conditions, domestic water mains are installed beneath Valley Boulevard (8-inch) and Willow Avenue (10-inch) abutting the Project Site.

Under existing conditions, the Project Site contains 10 structures and outbuildings used for storage and offices for the businesses operating on the Site. The structures consume nominal water. Although the Project Site contains uses that consume water, for purposes of the analysis in this Subsection (and in order to present an analysis of the “worst-case” scenario) the existing water usage on the Project Site is assumed to be zero.

B Wastewater Service

Wastewater in the Project area is conveyed by the RWS via an existing sewer line beneath Willow Avenue (18-inch) to the Rialto Wastewater Treatment Plant (RWTP). The RWTP currently processes approximately eight million gallons of wastewater per day and has a maximum treatment capacity of 11.7 million gallons of wastewater per day (Rialto, 2010b, p. 344; Rialto Water Services, 2021b)².

Under existing conditions, the Project Site contains 10 structures and outbuildings used for storage and offices for the businesses operating on the Site. The structures require nominal wastewater treatment. Although the Project Site contains uses that require wastewater treatment, for purposes of the analysis in this Subsection (and in order to present an analysis of the “worst-case” scenario) the existing wastewater generation on the Project Site is assumed to be zero.

C Stormwater Conveyance Facilities

Under existing conditions, the Project Site does not contain any stormwater drainage facilities. Stormwater runoff from the Site discharges to Willow Avenue and travels south within Willow Avenue as surface flow until flowing into an existing Caltrans-maintained concrete channel, located adjacent to I-10.

¹ Water Systems Consulting, Inc., 2021. *2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan.*: <https://www.sbvmd.com/reports/-/folder-1120>.

² Rialto Water Services, 2021. *Wastewater.* <https://rialtowater.com/about-us/wastewater/>.



D Dry Utilities

Under existing conditions, power lines and power poles owned by Southern California Edison are present along the Project’s frontage with Valley Boulevard and Willow Avenue.

Under existing conditions, the Project Site contains 10 structures and outbuildings used for storage and offices for the businesses operating on the Site. The structures consume nominal electricity. The energy consumption of the existing structures on the Project Site as well as the potential environmental impacts resulting from the Project’s energy usage were previously addressed in EIR Subsection 4.4, *Energy*.

E Solid Waste Collection and Disposal

Solid waste collected in the City of Rialto is disposed at the Mid-Valley Landfill. Under existing conditions, the Project Site generates minimal solid waste (associated with the existing on-site business operations).

The Mid-Valley Landfill is located north of I-210, east of I-15, and west of I-215 at 2390 Alder Avenue. In March 2020, the Mid-Valley Landfill received approximately 93,571.43 tons of solid waste with a peak tonnage of 5,282.52 tons per day (CalRecycle, 2021)³. The Mid-Valley Landfill is permitted to receive 7,500 tons of solid waste per day and is estimated to reach capacity, at the earliest time, in the year 2045. Future landfill expansion opportunities exist at this site. (CalRecycle, 2019b)⁴

Under existing conditions, the Project Site contains 10 structures and outbuildings used for storage and offices for the businesses operating on the Site. The structures generate nominal solid waste. Although the Project Site contains uses that produce solid waste requiring landfilling under existing conditions, for purposes of the analysis in this Subsection (and in order to present an analysis of the “worst-case” scenario) the existing solid waste generation on the Project Site is assumed to be zero.

4.13.2 REGULATORY SETTING

The following is a brief description of the federal, State, and local environmental laws, regulations, and plans related to utilities and service systems.

A Federal Plans, Policies, and Regulations

1. Applicable Water Supply Regulations

Safe Drinking Water Act

The Safe Drinking Water Act (SDWA) was established to protect the quality of drinking water in the U.S. This law focuses on all waters actually or potentially designed for drinking use, whether from above ground or underground sources. The Act authorizes EPA to establish minimum standards to protect tap water and requires all owners or operators of public water systems to comply with these primary (health-related) standards. The 1996 amendments to SDWA require that EPA consider a detailed risk and cost assessment,

³ California Department of Resources Recycling and Recovery, 2021. *Mid-Valley Sanitary Landfill Inspection Details*. <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>.

⁴ California Department of Resources Recycling and Recovery, 2019. *Mid-Valley Sanitary Landfill*. <https://www2.calrecycle.ca.gov/SolidWaste/SiteInspection/Details/327412>.



and best available peer-reviewed science, when developing these standards. State governments, which can be approved to implement these rules for EPA, also encourage attainment of secondary standards (nuisance-related). Under the Act, EPA also establishes minimum standards for state programs to protect underground sources of drinking water from endangerment by underground injection of fluids. (EPA, 2020i)⁵

2. *Applicable Energy Regulations*

United States Department of Energy/Federal Energy Regulatory Commission

The United States Department of Energy (DOE) is the federal agency responsible for establishing policies regarding energy conservation, domestic energy production and infrastructure. The Federal Energy Regulatory Commission (FERC) is an independent federal agency, officially organized as part of the DOE which is responsible for regulating interstate transmission of natural gas, oil and electricity, reliability of the electric grid and approving of construction of interstate natural gas pipelines and storage facilities. The Energy Policy Act of 2005 has also granted FERC with additional responsibilities of overseeing the reliability of the nation’s electricity transmission grid and supplementing state transmission siting efforts in national interest electric transmission corridors.

FERC has authority to oversee mandatory reliability standards governing the nation’s electricity grid. FERC has established rules on certification of an Electric Reliability Organization (ERO) which establishes, approves and enforces mandatory electricity reliability standards. The North American Electric Reliability Corporation (NERC) has been certified as the nation’s ERO by FERC to enforce reliability standards in all interconnected jurisdictions in North America. Although FERC regulates the bulk energy transmission and reliability throughout the United States, the areas outside of FERC’s jurisdictional responsibility include state level regulations and retail electricity and natural gas sales to consumers which falls under the jurisdiction of state regulatory agencies.

The Federal Communications Commission (FCC) requires all new cellular tower construction to be approved by the state or local authority for the proposed site and comply with FCC rules involving environmental review. Additionally, the Telecommunications Act of 1996 requires construction of new cellular towers to comply with the local zoning authority. (FERC, n.d.)⁶

B State Plans, Policies, and Regulations

1. *Applicable Water Supply Regulations*

Senate Bill 610 (SB 610)

SB 610, codified in Water Code Sections 10910-10915, specifies the requirements for water supply assessments (WSAs) and their role in the CEQA process, and defines the role Urban Water Management Plans (UWMPs) play in the WSA process. SB 610 requires that, for projects subject to CEQA that meet specific size criteria, the water supplier prepare WSAs that determine whether the water supplier has sufficient water resources to serve the projected water demands associated with the projects. SB 610 provides specific guidance

⁵ United States Environmental Protection Agency, 2020i. *Summary of the Safe Drinking Water Act*. Available on-line: <https://www.epa.gov/laws-regulations/summary-safe-drinking-water-act>

⁶ Federal Energy Regulatory Commission, no date. *About FERC*. No date. Available on-line: <https://www.ferc.gov/what-ferc>



regarding how future supplies are to be calculated in the WSAs where an applicable UWMP has been prepared. Specifically, a WSA must identify existing water supply entitlements, water rights, or water service contracts held by the public water system, and prior years' actual water deliveries received by the public water system. In addition, the WSA must address water supplies over a 20-year period and consider normal, single-dry, and multiple-dry year conditions. In accordance with SB 610, projects for which a WSA must be prepared are those subject to CEQA that meet any of the following criteria:

- Residential developments of more than 500 dwelling units;
- Shopping centers or business establishments employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- Commercial office buildings employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- Hotels, motels, or both, having more than 500 rooms;
- Industrial, manufacturing, or processing plants, or industrial parks planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area
- Mixed-use projects that include one or more of the projects specified in this subdivision; or
- Projects that would demand an amount of water equivalent to or greater than the amount of water required by a 500-dwelling-unit project. (Water Code Section 912, CEQA Guidelines Section 15155(a).

The WSA must be approved by the public water supplier serving the project at a regular or special meeting and must be incorporated into the CEQA document. The lead agency must then make certain findings related to water supply based on the WSA.

In addition, under SB 610, a water supplier responsible for the preparation and periodic updating of an UWMP must describe the water supply projects and programs that may be undertaken to meet the total project water use of the service area. If groundwater is identified as a source of water available to the supplier, the following additional information must be included in the UWMP: (1) a groundwater management plan; (2) a description of the groundwater basin(s) to be used and the water use adjudication rights, if any; (3) a description and analysis of groundwater use in the past 5 years; and (4) a discussion of the sufficiency of the groundwater that is projected to be pumped by the supplier.

Because the Project does not propose an industrial use that would house more than 1,000 persons, occupy more than 40 acres of land, or have more than 650,000 square feet of floor area, a WSA was not required for the Project.

Senate Bill 606 (SB 606)

SB 606 would require an urban retail water supplier to calculate an urban water use objective no later than November 1, 2023, and by November 1 every year thereafter, and its actual urban water use by those same dates. The bill would require an urban retail water supplier to submit a report to the department for these purposes by those dates. SB 606 would authorize the board to issue information orders, written notices, and



conservation orders to an urban retail water supplier that does not meet its urban water use objective, as specified. The bill would authorize the board to waive these requirements for a period of up to 5 years, as specified. SB 606 would impose civil liability for a violation of an order or regulation issued pursuant to these provisions, as specified. The bill would also authorize the board to issue a regulation or informational order requiring a wholesale water supplier, urban retail water supplier, or distributor of a public water supply to provide a monthly report relating to water production, water use, or water conservation. (SWRCB, , n.d.)⁷

California Plumbing Code

Title 24, Part 5 of the California Code of Regulations establishes the California Plumbing Code. The California Plumbing Code sets forth efficiency standards (i.e., maximum flow rates) for all new federally-regulated plumbing fittings and fixtures, including showerheads and lavatory faucets. The 2019 California Plumbing Code, which is based on the 2018 Uniform Plumbing Code, has been published by the California Building Standards Commission and went into effect on January 1, 2019. (BCS, n.d.)⁸

California Code of Regulations (CCR) Title 20 and 24

Title 20 includes state and federal minimum efficiency requirements for energy and water use in regulated appliances. These appliances include, but are not limited to, water heaters, furnaces, heat pumps, air conditioners, refrigerators, pumps, lamps and ballasts, computers, spray sprinkler bodies and showerheads. Manufacturers are responsible for certifying regulated appliances to the California Energy Commission's Modernized Appliance Efficiency Database System (MAEDbS). This serves as the manufacturer's claim that it has met all applicable requirements, including testing, and marking products. (Westlaw, n.d.)

Title 24 of the California Code of Regulations is a broad set of requirements for energy conservation, green design, construction and maintenance, fire and life safety, and accessibility that apply to the structural, mechanical, electrical, and plumbing systems in a building. Title 24 was published by the California Building Standards Commission and applies to all buildings in California, not just state-owned buildings. Title 24 receives updates every three years with the latest revisions being in 2019. Title 24 energy compliance requirements apply to new construction and any new installations or retrofits in existing buildings. Older buildings do not have to upgrade their systems, but if they choose to renovate, their new systems must meet Title 24 standards. (BCS, n.d.)

Water Conservation in Landscaping Act

The Water Conservation in Landscaping Act was established to ensure adequate water supplies are available for future uses. To promote the conservation and efficient use of water, the Act requires local agencies to adopt a water efficient landscape ordinance. When such an ordinance had not been adopted, a finding as to why (based on the climatic, geologic, or topographical conditions) such an ordinance is not necessary, must be adopted. In the absence of such an ordinance or findings, the policies and requirements contained in the "model" ordinance drafted by the State of California shall apply within the affected jurisdiction.

⁷ State Water Resources Control Board, no date. *California Statutes Making Conservation a California Way of Life*. No date. Available on-line: https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/california_statutes.html

⁸ Building Standards Commission, no date. *California Building Standards Code*. No date. Available on-line: <https://www.dgs.ca.gov/BSC/Codes>



Urban Water Management Planning Act

The Urban Water Management Planning Act (UWMP Act) was proposed and adopted to ensure that water planning is conducted at the local level, as the State of California recognized that two water agencies in the same region could have very different impacts from a drought. The UWMP Act requires water agencies to develop UWMPs over a 20-year planning horizon, and further required UWMPs to be updated every five years. UWMPs are exempt from compliance with CEQA (DWR, 2016, pp. 1-2)⁹.

The UWMPs provide a framework for long term water planning and inform the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for existing and future demands. This part of the California Water Code (CWC) requires urban water suppliers to report, describe, and evaluate:

- Water deliveries and uses;
- Water supply sources;
- Efficient water uses;
- Demand management measures; and
- Water shortage contingency planning. (DWR, 2016, pp. 1-3)

The UWMP Act has been modified over the years in response to the State's water shortages, droughts, and other factors. A significant amendment was made in 2009, after the drought of 2007-2009 and as a result of the governor's call for a statewide 20 percent reduction in urban water use by the year 2020. This amendment was called the Water Conservation Act of 2009, also known as SB X7-7. The Act required agencies to establish water use targets for 2015 and 2020 that would result in statewide savings of 20 percent by 2020. Beginning in 2016, retail water suppliers are required to comply with the water conservation requirements in SB X7-7 in order to be eligible for State water grants or loans. Retail water agencies are required to set targets and track progress toward decreasing daily per capita urban water use in their service area, which will assist the State in meeting its 20 percent reduction goal by 2020. (DWR, 2016, pp. 1-2)

California Water Plan

The California Water Plan is the State's strategic plan for sustainably managing and developing water resources for current and future generations. Required by Water Code Section 10005(a), it presents the status and trends of California's water-dependent natural resources; water supplies; and agricultural, urban, and environmental water demands for a range of plausible future scenarios. The plan is updated every five years; provides a way for various groups to collaborate on findings and recommendations and make informed decisions regarding California's water future; can't mandate actions or authorize spending for specific actions; doesn't make project- or site-specific recommendations nor include environmental review or documentation as would be required by CEQA; and requires policy- and law-makers to take definitive steps to authorize the specific actions proposed in the plan and appropriate funding needed for their implementation.

⁹ Department of Water Resources, 2016. *2015 Urban Water Management Plans Guidebook for Urban Water Suppliers*. https://cawaterlibrary.net/wp-content/uploads/2017/06/UWMP_Guidebook_Mar_2016_FINAL.pdf.



California Water Plan Update 2018 (Update 2018) provides recommended actions, funding scenarios, and an investment strategy to bolster efforts by water and resource managers, planners, and decision-makers to overcome California's most pressing water resource challenges. It reaffirms State government's unique role and commitment to sustainable, equitable, long-term water resource management; it also introduces implementation tools to inform sound decision-making. The plan's broad and diverse portfolio of recommended actions address California's critical, systemic, and institutional challenges. (DWR, 2018)¹⁰

□ **California Water Action Plan**

The California Water Action Plan is a roadmap for the State's journey towards sustainable water management. The first California Water Action Plan was released in January 2014 under Governor Brown's administration and updated in 2016. The California Water Action Plan discusses the challenges to water in California: uncertain water supplies, water scarcity/drought, declining groundwater supplies, poor water quality, declining native fish species and loss of wildlife habitat, floods, supply disruptions, and population growth and climate change further increasing the severity of these risks. (CDFW, n.d.)¹¹

□ **Executive Order B-37-16**

Signed on May 9, 2016, EO B-37-16 established a new water use efficiency framework for California. The order bolstered the state's drought resilience and preparedness by establishing longer-term water conservation measures that include permanent monthly water use reporting, new urban water use targets, reducing system leaks and eliminating clearly wasteful practices, strengthening urban drought contingency plans, and improving agricultural water management and drought plans. (SWRCB, 2021b)¹²

2. *Applicable Solid Waste Regulations*

□ **California Solid Waste Integrated Waste Management Act (AB 939, 1989)**

The Integrated Waste Management Act (IWMA) established an integrated waste management hierarchy to guide the California Integrated Waste Management Board (CIWMB) and local agencies in implementation, in order of priority: (1) source reduction, (2) recycling and composting, and (3) environmentally safe transformation and land disposal (it should be noted that the CIWMB no longer exists, and its duties have been assumed by CalRecycle). As part of the IWMA, the CIWMB was given a purpose to mandate the reduction of disposed waste. (CalRecycle, 2018a)¹³ The IWMA also required:

- The establishment of a task force to coordinate the development of city Source Reduction and Recycling Elements (SRREs) and a countywide siting element. (CalRecycle, 2018a)

¹⁰ California Department of Water Resources, 2018. *Update 2018*. 2018. Available on-line: <https://water.ca.gov/Programs/California-Water-Plan/Update-2018>

¹¹ California Department of Fish and Wildlife, no date. *California Water Action Plan*. No date.. Available on-line: <https://wildlife.ca.gov/Conservation/Watersheds/Instream-Flow/Action-Plan>

¹² State Water Resources Control Board, 2021. *Governor's Conservation Executive Orders and Proclamations*. https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/executive_orders.html.

¹³ California Department of Resources Recycling and Recovery, 2018. *History of California Solid Waste Law, 1985-1989*. <https://www.calrecycle.ca.gov/laws/legislation/calhist/1985to1989>.



- Each city, by July 1, 1991, to prepare, adopt and submit a SRRE to the county which includes the following components: waste characterization; source reduction; recycling; composting; solid waste facility capacity; education and public information; funding; special waste (asbestos, sewage sludge, etc.); and household hazardous waste. (CalRecycle, 2018a)
- Each county, by January 1, 1991, to prepare a SRRE for its unincorporated area, with the same components described above, and a countywide siting element, specifying areas for transformation or disposal sites to provide capacity for solid waste generated in the jurisdiction which cannot be reduced or recycled for a 15-year period. (CalRecycle, 2018a)
- Each county to prepare, adopt, and submit to the Board an Integrated Waste Management Plan (IWMP), which includes all of the elements described above. (CalRecycle, 2018a)
- Each city or county plan to include an implementation schedule which shows: diversion of 25 percent of all solid waste from landfill or transformation facilities by January 1, 1995 through source reduction, recycling, and composting activities; and, diversion of 50 percent of all solid waste by January 1, 2000 through source reduction, recycling, and composting activities. (CalRecycle, 2018a)
- The CIWMB to review the implementation of each SRRE at least once every two years. (CalRecycle, 2018a)
- The IWMA required the CIWMB, in conjunction with an inspection conducted by a Lead Enforcement Agency (LEA), to conduct at least one inspection per year of each solid waste facility in the state.

Additionally, the IWMA established a comprehensive statewide system of permitting, inspections, enforcement, and maintenance for solid waste facilities. (CalRecycle, 2018a)

Water Reuse and Recycling Act (AB 1327)

The Waste Reuse and Recycling Act (WRRRA) required the CIWMB to approve a model ordinance for adoption by any local government for the transfer, receipt, storage, and loading of recyclable materials in development projects by March 1, 1993. The WRRRA also required local agencies to adopt a local ordinance by September 1, 1993 or allow the model ordinance to take effect. The WRRRA requires all development projects that are commercial, industrial, institutional, or marina in nature and where solid waste is collected and loaded, to provide an adequate area for collecting and loading recyclable materials over the lifetime of the project. The area is required to be provided before building permits are issued. (CalRecycle, 2018b)¹⁴

Mandatory Commercial Recycling Program (AB 341)

AB 341 (Chapter 476, Statutes of 2011 [Chesbro, AB 341]) directed CalRecycle to develop and adopt regulations for mandatory commercial recycling. CalRecycle initiated formal rulemaking with a 45-day comment period beginning Oct. 28, 2011. The final regulation was approved by the Office of Administrative Law on May 7, 2012. AB-341 was designed to help meet California's recycling goal of 75% by the year 2020. AB 341 requires all commercial businesses and public entities that generate 4 cubic yards or more of waste

¹⁴ California Department of Resources Recycling and Recovery, 2018. *History of California Solid Waste Law, 1990-1994.* <https://www.calrecycle.ca.gov/Laws/Legislation/calhist/1990to1994>.



per week to have a recycling program in place. In addition, multi-family apartments with five or more units are also required to form a recycling program. (CalRecycle, 2017)¹⁵

2019 California Green Building Standards Code (CalGreen, Part 11 of Title 24, California Code of Regulations)

The most recent edition of CalGreen became effective January 1, 2020, and is applicable to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout the State of California (including residential structures and elementary schools). CalGreen Section 5.408.3 requires that 100 percent of trees, stumps, rocks, and associated vegetation and soils resulting from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on-site until the storage site is developed. (CBSC, 2020)

Assembly Bill 1826 (AB 1826)

AB 1826 requires jurisdictions to implement an organic waste recycling program for businesses, including outreach, education, and monitoring of affected businesses. Additionally, each jurisdiction is to identify a multitude of information, including barriers to siting organic waste recycling facilities, as well as closed or abandoned sites that might be available for new organic waste recycling facilities. AB 1826 defines “organic waste” as food waste, green waste, landscape and pruning waste, non-hazardous wood waste, and food-soiled paper waste that is mixed in with food waste. It also defines a “business” as a commercial or public entity, including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or nonprofit entity, or a multifamily residential dwelling consisting of five or more units. As of January 1, 2017, businesses that generate 4 cubic yards or more of organic waste per week are subject to this requirement. Commencing January 1, 2019, businesses that generate 4 cubic yards or more of commercial solid waste per week also are required to arrange for organic waste recycling services. CalRecycle may reduce this triggering threshold for organics recycling to 2 cubic yards or more of commercial solid waste per week as of January 1, 2020. (CA Legislative Info, n.d.)¹⁶

Zero Waste California

Zero Waste California is a state program launched by CalRecycle in 2002 to promote a new vision for the management of solid waste by maximizing existing recycling and reuse efforts, while ensuring that products are designed for the environment and have the potential to be repaired, reused, or recycled. The Zero Waste California program promotes the goals of market development, recycled product procurement, and research and development of new and sustainable technologies. (CalRecycle, n.d.)¹⁷

¹⁵ California Department of Resources Recycling and Recovery, 2017. *Mandatory Recycling AB 341*. <https://www.calrecycle.ca.gov/Recycle/Commercial/>.

¹⁶ California Legislative Information, no date. *Assembly Bill No. 1826*. No date Available on-line: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1826

¹⁷ CalRecycle, no date. *Zero Waste*. No date. Available on-line: <https://www.calrecycle.ca.gov/zerowaste>



3. *Applicable Energy Regulations*

California Energy Efficiency Standards for Residential and Nonresidential Buildings (24 CA. Code Regs. 6)

The Building Energy Efficiency Standards were first adopted in 1976 and have been updated periodically since then as directed by statute. In 1975 the Department of Housing and Community Development adopted rudimentary energy conservation standards under their State Housing Law authority that were a precursor to the first generation of the Standards. However, the Warren-Alquist Act was passed one year earlier with explicit direction to the Energy Commission (formally titled the State Energy Resources Conservation and Development Commission) to adopt and implement the Standards. The Energy Commission’s statute created separate authority and specific direction regarding what the Standards are to address, what criteria are to be met in developing the Standards, and what implementation tools, aids, and technical assistance are to be provided. (CEC, 2018)¹⁸

The Standards contain energy and water efficiency requirements (and indoor air quality requirements) for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. Public Resources Code Sections 25402 subdivisions (a)-(b) and 25402.1 emphasize the importance of building design and construction flexibility by requiring the Energy Commission to establish performance standards, in the form of an “energy budget” in terms of the energy consumption per square foot of floor space. For this reason, the Standards include both a prescriptive option, allowing builders to comply by using methods known to be efficient, and a performance option, allowing builders complete freedom in their designs provided the building achieves the same overall efficiency as an equivalent building using the prescriptive option. Reference Appendices are adopted along with the Standards that contain data and other information that helps builders comply with the Standards. (CEC, 2018)

The 2019 update to the Building Energy Efficiency Standards focuses on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings. The most significant efficiency improvements to the residential Standards include the introduction of photovoltaic into the prescriptive package, improvements for attics, walls, water heating, and lighting. The most significant efficiency improvements to the nonresidential Standards include alignment with the ASHRAE 90.1 2017 national standards. The 2019 Standards also include changes made throughout all of its sections to improve the clarity, consistency, and readability of the regulatory language. (CEC, 2018)

Public Resources Code Section 25402.1 also requires the Energy Commission to support the performance standards with compliance tools for builders and building designers. The Alternative Calculation Method (ACM) Approval Manual adopted by regulation as an appendix of the Standards establishes requirements for input, output, and calculational uniformity in the computer programs used to demonstrate compliance with the Standards. From this, the Energy Commission develops and makes publicly available free, public domain building modeling software in order to enable compliance based on modeling of building efficiency and performance. The ACM Approval Manual also includes provisions for private firms seeking to develop

¹⁸ California Energy Commission, 2018. *2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings*. December 2018. Available on-line: <https://ww2.energy.ca.gov/2018publications/CEC-400-2018-020/CEC-400-2018-020-CMF.pdf>



compliance software for approval by the Energy Commission, which further encourages flexibility and innovation.

California Independent System Operator (ISO)

The California ISO is an independent public benefit corporation responsible for operating California’s long-distance electric transmission lines. The California ISO is led by a five-member board appointment by the Governor and is also regulated by FERC. While transmission owners and private electric utilities own their lines, the California ISO operates the transmission system independently to ensure that electricity flows comply with federal operational standards. The California ISO analyzes current and future electrical demand and plans for any needed expansion or upgrade of the electric transmission system. (California ISO, n.d.)¹⁹

California Public Utilities Commission (PUC)

The CPUC establishes policies and rules for electricity and natural gas rates provided by private utilities in California such as Southern California Edison (SCE) and Southern California Gas Company (SoCalGas). Public owned utilities such as the Los Angeles Department of Water and Power (LADWP) do not fall under the CPUCs jurisdiction. The Digital Infrastructure and Video Competition Act of 2006 (DIVCA) established the CPUC as the sole cable/video TV franchising authority in the State of California. DIVCA took effect January 1, 2007.

The CPUC is overseen by five commissioners appointed by the Governor and confirmed by the state Senate. The CPUC’s responsibilities include regulating electric power procurement and generation, infrastructure oversight for electric transmission lines and natural gas pipelines and permitting of electrical transmission and substation facilities. (CPUC, n.d.)²⁰

California Energy Commission (CEC)

The CEC is a planning agency which provides guidance on setting the state’s energy policy. Responsibilities include forecasting electricity and natural gas demand, promoting and setting energy efficiency standards throughout the state, developing renewable energy resources and permitting thermal power plants 50 megawatts and larger. The CEC also has regulatory specific regulatory authority over publicly owned utilities to certify, monitor and verify eligible renewable energy resources procured. (CEC, n.d.)²¹

Senate Bill 1389 (SB 1389)

Senate Bill (SB) 1389 (Public Resources Code Sections 25300–25323), adopted in 2002, requires the development of an integrated plan for electricity, natural gas, and transportation fuels. Under the bill, the CEC must adopt and transmit to the Governor and Legislature an Integrated Energy Policy Report every two years. In 2018, the CEC decided to write the Integrated Energy Policy Report in two volumes. The Volume I, which was published on August 1, 2018, highlights the implementation of California’s innovative policies and the role they have played in moving toward a clean energy economy. Volume II, which was adopted in February

¹⁹ California ISO, no date. *California ISO*. No date. Available on-line: <https://www.caiso.com/Pages/default.aspx>

²⁰ California Public Utilities Commission, no date. *California Public Utilities Commission*. Available on-line: <https://www.cpuc.ca.gov/>

²¹ California Energy Commission, no date. *California Energy Commission*. Available on-line: <https://www.energy.ca.gov/>



2019, identifies several key energy issues and actions to address these issues and ensure the reliability of energy resources. (CA Legislative Info, n.d.)²²

C Local Plans, Policies, and Regulations

1. San Bernardino Valley Regional Urban Water Quality Management Plan

The *2020 San Bernardino Valley Regional Urban Water Management Plan (UWMP)* acts as the urban water management plan for the City of Rialto, is herein incorporated by reference, and is available for public review at 355 West Rialto Avenue, San Bernardino, CA 92410. The *2020 UWMP* includes a water system analysis, identifies improvements to correct existing deficiencies and serve projected future growth, and presents the estimated costs and phasing of the recommended improvements. As concluded in the *2020 UWMP*, the City of Rialto anticipates that it will be able to meet projected demand for water within its service boundaries until at least the year 2045 in all types of climate situations, including normal, dry, and multiple consecutive dry weather years (WSC, 2021, p. 5-24).

A Water Shortage Contingency Plan is included in the *2020 UWMP*, which the City of Rialto is to implement in cases of future water deficiencies caused by limitations on supply or the City of Rialto’s delivery system. At the time of long- or short-term drought conditions, or other emergencies, the City of Rialto would inform their customers of the need to conserve water and impose penalties for non-compliance with mandatory water use reductions. Compliance with mandatory water use reductions would ensure that the City of Rialto has the ability to meet present and projected demand within its service area during dry years. (WSC, 2021, pp. 5-26 through 5-27)

2. City of Rialto Master Plan of Drainage

The City Master Plan of Drainage was prepared by the City of Rialto’s Public Works Department to identify master-planned drainage and flood control facilities that are needed in the Project area to safely convey the peak runoff of a 100-year frequency storm. Per the Master Plan of Drainage, flows from the Project Site are planned to outlet into a new storm drain line located beneath Willow Avenue that will tie into a Caltrans-maintained channel north of I-10 (Rialto, 2009)²³.

3. Rialto Municipal Code

Rialto Municipal Code Section 8.08 establishes requirements for refuse collection within the City limits, including requirements for the provision and placement of refuse and recycling bins, the frequency for refuse collection, and designated locations of refuse disposal.

²² California Legislative Information, no date. *Public Resources Code, Division 15, Chapter 4, Section 25300*. Available on-line: https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=15.&title=&part=&chapter=4.&article=

²³ Rialto, City of, 2009. *City of Rialto Master Drainage Plan Map*. <https://www.yourrialto.com/DocumentCenter/View/607/Rialto-Master-Plan-Drainage-PDF>.



4.13.3 METHODOLOGY FOR EVALUATING UTILITIES & SERVICE SYSTEMS IMPACTS

The analysis of potential impacts to utilities and service systems is based on a review of information from the City’s General Plan and information sources published by local and regional public service providers.

4.13.4 BASIS FOR DETERMINING SIGNIFICANCE

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to utilities and service systems that could result from development projects. The Project would result in a significant impact associated with utilities and service systems if the Project or any Project-related component would:

- a. *Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects;*
- b. *Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years;*
- c. *Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments;*
- d. *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; and*
- e. *Comply with federal, State, and local management and reduction statutes and regulations related to solid waste.*

4.13.5 IMPACT ANALYSIS

Threshold “a:” Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?

A Water and Water Treatment Facilities

No existing water lines would be relocated or upsized as part of the proposed Project. The Project’s on-site water lines would be connected to an existing 8-inch-diameter water main beneath Valley Boulevard and an existing 10-inch diameter water main beneath Willow Avenue. The water facilities proposed by the Project would be adequate to meet the Project’s needs for domestic and fire service (Thienes, 2021c)²⁴. Construction activities within the public street right of way have the potential to create intermittent and short-term inconvenience hazards for motorists and pedestrians; however, all water utility construction work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the *State of California Department of Transportation Construction Manual*, published by

²⁴ Thienes Engineering, 2021. *Northwesterly corner of W. Valley Blvd. and S. Willow Ave. (Fire Flow)*



Caltrans (Caltrans, 2021)²⁵. The construction of the proposed water service connections, which would occur over a few days' time, also has the potential to cause environmental effects associated with short-term air pollutant, noise emissions, and water quality effects that are an inherent part of the Project's construction process. The Project's construction air quality and noise emissions effects were previously disclosed in EIR Subsections 4.2, 4.6, 4.8, and 4.10 (the construction-level impacts disclosed in these Subsections are inclusive of the effects from the construction of water infrastructure). Where significant construction-related impacts have been identified in the above-listed sections, feasible and enforceable mitigation measures are imposed by this EIR to reduce the Project's impacts to the maximum practical effect. There are no significant environmental impacts specifically related to construction of the Project's water line connection.

While the Project would result in an incremental increase in demand for water treatment services, the Project water demand, which is further discussed under the response to Threshold "b" in this Subsection, would not result in or require new or expanded water treatment facilities beyond those facilities already planned as part of the *2020 San Bernardino Valley Regional UWMP*.

B Wastewater and Wastewater Treatment Facilities

The Project's on-site sewer conveyance lines would connect to an existing 18-inch sewer line located beneath Willow Avenue; the Project would not relocate or expand/upsized any existing sewer lines as the existing lines have adequate capacity to receive wastewater flows from the Project (Thienes, 2021d)²⁶. Construction activities within the public street right of way have the potential to create intermittent and short-term inconvenience hazards for motorists and pedestrians; however, all wastewater utility construction work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the *State of California Department of Transportation Construction Manual*, published by Caltrans (Caltrans, 2021). The construction of the proposed wastewater service connections, which would occur over a few days' time, also has the potential to cause environmental effects associated with short-term air pollutant, noise emissions, and water quality effects that are an inherent part of the Project's construction process. The Project's construction air quality, noise emissions, and water quality effects were previously disclosed in EIR Subsections 4.2, 4.6, 4.8, and 4.10 (the construction-level impacts disclosed in these Subsections are inclusive of the effects from the construction of wastewater infrastructure). Where significant construction-related impacts have been identified in the above-listed sections, feasible and enforceable mitigation measures are imposed by this EIR to reduce the Project's impacts to the maximum practical effect. There are no significant environmental impacts specifically related to construction of the Project's wastewater line connection.

While the Project would result in an incremental increase in demand for wastewater treatment services, the Project wastewater treatment demand, which is further discussed under the response to Threshold "c" in this Subsection, would not result in or require new or expanded wastewater treatment facilities.

²⁵ California Department of Transportation, 2021. *State of California Department of Transportation Construction Manual*. <https://dot.ca.gov/-/media/dot-media/programs/construction/documents/policies-procedures-publications/construction-manual/2020cmsearchabledoc.pdf>.

²⁶ Thienes Engineering, 2021. *Northwesterly corner of W. Valley Blvd. and S. Willow Ave. (Sewer Capacity)*



C Stormwater Drainage Facilities

The Project also would involve the construction of an on-site stormwater drain system, including catch basins and underground storm drain pipes to capture and convey storm water runoff from across the Project Site. Stormwater runoff from the Project Site would be discharged to a new public storm drain line within Willow Avenue, adjacent to the southeast corner of the Project Site, to be installed as part of the proposed Project. The proposed public storm drain line would extend south beneath Willow Avenue and connect to an existing concrete channel north of I-10 that is owned and maintained by Caltrans. The proposed storm drain improvements would be consistent with the City of Rialto Master Plan of Drainage. (The water quality effects associated with the Project’s proposed stormwater drainage system were previously addressed in EIR Subsection 4.8, *Hydrology and Water Quality*.)

Construction activities within the public street right of way have the potential to create intermittent and short-term inconvenience hazards for motorists and pedestrians; however, all stormwater drainage utility construction work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the *State of California Department of Transportation Construction Manual*, published by Caltrans (Caltrans, 2021). The construction of proposed stormwater drainage facilities also has the potential to cause environmental effects associated with short-term air pollutant, noise emissions, and water quality effects that are an inherent part of the Project’s construction process. The Project’s construction air quality, noise emissions, and water quality effects were previously disclosed in EIR Subsections 4.2, 4.6, 4.8, and 4.10 (the construction-level impacts disclosed in these Subsections are inclusive of the effects from the construction of stormwater drainage infrastructure). Where significant construction-related impacts are identified in the above-listed sections, feasible and enforceable mitigation measures are imposed by this EIR to reduce the Project’s impacts to the maximum practical effect. There are no significant environmental impacts specifically related to construction of the Project’s proposed stormwater drainage improvements.

D Dry Utilities

Refer to EIR Subsection 4.4, *Energy*, for the analysis of the potential environmental effects associated with the Project’s electricity demand, which demonstrates that the existing electricity generation and transmission network in southern California can adequately meet the Project’s electricity demand without the need for new or expanded facilities.

The Project would involve utility connections to provide electric power and telecommunications services to the Project Site. In addition, existing above-ground power lines located at the Project’s site frontage with Valley Boulevard and Willow Avenue would be undergrounded as part of Project construction. The Project Applicant does not anticipate the need to provide natural gas service to the Project Site (although Project natural gas usage was assumed in the air quality, energy, and greenhouse gas analyses presented in this EIR as a conservative measure, refer to Subsections 4.2, 4.4, and 4.6). The construction of the proposed dry utility improvements has the potential to cause environmental effects associated with short-term air pollutant emissions, noise, water quality effects, and traffic movement disruptions and are an inherent part of the Project’s construction process. All dry utility construction work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the *State of California Department of Transportation Construction Manual*, dated January 2021, published by Caltrans (Caltrans,



2021). The Project’s construction air quality, noise emissions, and water quality effects were previously disclosed in EIR Subsections 4.2, 4.6, 4.8, and 4.10 (the construction-level impacts disclosed in these Subsections are inclusive of the effects from the construction of dry utility infrastructure). Where significant construction-related impacts have been identified in the above-listed sections, feasible and enforceable mitigation measures are imposed by this EIR to reduce the Project’s impacts to the maximum practical effect. There are no significant environmental impacts specifically related to the installation of the proposed dry utility improvements.

E Conclusion

As demonstrated by the foregoing analysis, the proposed Project would not result in a significant environmental impact due to the relocation or construction of new or expanded utility facilities, including infrastructure. The Project’s impact would be less than significant.

Threshold “b:” Would sufficient water supplies be available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Based on usage rates from the Rialto General Plan EIR, Project operations are estimated to demand approximately 40,232 gallons of water per day (gpd) ([1.39 gallons per minute per acre x 20.1 acres] x 1,440 minutes per day = 40,232 gpd) (Rialto, 2010b, Table 4.16-2). Construction activities on the Project Site would utilize water; however, the construction water demand is not expected to exceed the Project’s operational demand of 40,232 gpd. Under existing conditions, the Project Site contains 10 structures that consume nominal water. Although the Project Site contains uses that consume water, for purposes of the analysis in this Subsection (and in order to present an analysis of the “worst-case” scenario) all water used by the Project is considered to represent a “new” demand and no deduction is taken for the removal of uses on the Project Site that historically consumed water.

The City of Rialto is responsible for supplying potable water to the Project Site and surrounding area. As discussed in the *2015 San Bernardino Valley Regional UWMP*, which applies to and was adopted by the City, adequate water supplies are projected to be available to meet the City’s estimated water demand through 2040 under normal, historic single-dry and historic multiple-dry year conditions (WSC, 2021, p. 14-29). The City’s forecasts for projected water demand rely on the City’s adopted General Plan land use designations within its service area. The water use projections utilized in the *2015 San Bernardino Valley Regional UWMP* were based on the Site’s existing land use designations, where approximately 8.5 acres of the Project Site has a commercial land use designation and approximately 11.6 acres of the Site has an industrial land use designation. The Project’s proposed entitlement actions would modify the Site’s land use designations so that the entire Site has an industrial land use designation. According to the City’s estimated water usage rates, commercial land uses demand more water than industrial land uses; therefore, eliminating potential commercial land uses on the Project Site would reduce the overall planned water demand for the Project Site (Rialto, 2010b, Table 4.16-2). Because the Project’s water demand would be less than projected for the Site’s existing land use designation, the determination of the *2015 UWMP* remains valid and the City would have sufficient water supplies available to serve the Project from existing entitlements/resources and no new or expanded entitlements are needed. The Project’s impact would be less than significant.



Threshold “c:” Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?

Based on wastewater generation rates from the Rialto Master Sewer Study, the Project is calculated to generate 30,150 gpd of wastewater (1,500 gpd/acre × 20.1 acres = 30,150 gpd). Construction activities on the Project Site would generate wastewater (via portable toilets); however, the construction wastewater generation is not expected to exceed the Project’s operational total of 30,150 gpd. Under existing conditions, the Project Site contains 10 structures that produce nominal wastewater flows. Although the Project Site contains uses that generate wastewater, for purposes of the analysis in this Subsection (and in order to present an analysis of the “worst-case” scenario) all wastewater generated by the Project is considered to represent a “new” demand and no deduction is taken for the removal of uses on the Project Site that historically produced wastewater.

Wastewater generated by the Project would be treated by the RWTP. The RWTP has an existing treatment capacity of approximately 11.7 million gallons of wastewater per day and treats approximately 8.0 million gallons of wastewater per day on average; therefore, the RWTP has approximately 3.7 million gallons (11.7 million gpd – 8.0 million gpd = 3.7 million gpd) of excess treatment capacity under existing conditions. The wastewater generated by the Project would only represent approximately 0.8 percent of the excess treatment capacity of the RWTP ($[30,150 \text{ gpd} \div 3.7 \text{ million gpd}] \times 100 = 0.81\%$); therefore, it is anticipated that RWTP has sufficient treatment capacity to provide service to the Project. To make this analysis as conservative as possible, this does not include any offset for the gpd that are generated by existing uses on-site or that would have been generated by developing the Project Site under its existing commercial zoning. Because there is adequate capacity at existing treatment facilities to serve Project demands, impacts would be less than significant and mitigation is not required.

Threshold “d:” Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

The Project would be required to comply with mandatory waste reduction requirements of the California Integrated Waste Management Act (AB 939), the California Solid Waste Reuse and Recycling Act of 1991 (Cal Pub Res. Code Section 42911), and 8.08 (Refuse Collection) of the City of Rialto Municipal Code. Notwithstanding, construction and operation of the Project would result in the generation of solid waste requiring disposal at a landfill.

Under existing conditions, the Project Site contains 10 structures that produce nominal solid waste that requires landfilling. Although the Project Site contains uses that generate solid waste, for purposes of the analysis in this Subsection (and in order to present an analysis of the “worst-case” scenario) all solid waste generated by the Project is considered to represent a “new” demand and no deduction is taken for the removal of uses on the Project Site that historically produced solid waste.

A Construction Impact Analysis

Construction of the Project would generate solid waste requiring landfill disposal in the form of demolition debris, remnants of unused construction materials, and discarded materials and packaging. Based on a



proposed building area of 492,410 s.f. and a construction waste generation factor of 4.34 pounds per square foot (EPA, 2009)²⁷, approximately 1,068.5 tons of waste is expected to be generated over the course of the Project's construction phase ($[492,410 \text{ sq. ft.} \times 4.34 \text{ lbs/sq. ft.}] \div 2,000 \text{ lbs/ton} = 1,068.5 \text{ tons}$), or approximately 3.8 tons per day (based on an estimated 280 days for building construction). CALGreen (Title 24, Part 11) requires that a minimum of 65% of all solid waste be diverted from landfills (by recycling, reusing, and other waste reduction strategies) consistent with the State's solid waste reduction goals and the Project construction contractors would be required to implement a construction waste management plan to comply with CALGreen's requirements; therefore, the Project is estimated to generate a total of approximately 694.5 tons of construction waste requiring landfilling during the construction phase, or approximately 2.5 tons per day.

Non-recyclable demolition debris and construction waste generated by the Project would be disposed at the Mid-Valley Landfill. The Project's short-term generation of this volume of construction waste is not in excess of State or local disposal standards, or in excess of the local infrastructure capacity to handle the waste disposal. As described in Subsection 4.13.1E, the Mid-Valley Landfill receives well below its maximum permitted daily disposal volume of 7,500 tons per day. The estimated 2.5 tons per day of waste that would be generated during Project construction would represent only 0.03% of the maximum permitted daily disposal volume at the Mid-Valley Landfill; thus, demolition and construction waste generated by the Project is not anticipated to cause the landfill to exceed its maximum permitted daily disposal volume. Furthermore, the Mid-Valley Landfill is not expected to reach its total maximum permitted disposal capacity during the Project's construction period. The Mid-Valley Landfill would have sufficient daily capacity to accept solid waste generated by the Project's construction phase; therefore, impacts to landfill capacity associated with the Project's near-term construction activities would be less than significant.

B Operational Impact Analysis

Based on a daily waste generation factor of 1.42 pounds of waste per 100 square feet of industrial/warehouse building area obtained from CalRecycle (CalRecycle, 2019a)²⁸, long-term operation of the Project would generate approximately 3.5 tons of solid waste per day ($[492,410 \text{ sq. ft.} \times 1.42 \text{ lbs/100 sq. ft.}] \div 2,000 \text{ lbs/ton} = 3.5 \text{ tons}$). A minimum of 50 percent of all solid waste would be required to be recycled pursuant to AB 939, consistent with the State's solid waste reduction goals; therefore, the Project would generate approximately 1.75 tons per day of solid waste requiring disposal at a landfill. The estimated 1.75 tons per day of solid waste that would be generated by Project operations would represent only 0.02 percent of the landfill's maximum permitted daily capacity of 7,500 tons per day and only 0.07 percent of the landfill's existing excess daily disposal capacity ($7,500 \text{ permitted tons per day} - 5,282.52 \text{ disposed tons per day} = 2,217.5 \text{ available tons per day}$).

Non-recyclable waste generated by the Project would be disposed at the Mid-Valley Landfill. The Project's long-term generation of this volume of solid waste is not in excess of State or local disposal standards, or in excess of the local infrastructure capacity to handle the waste disposal. As described in Subsection 4.13.1E, the Mid-Valley Landfill receives well below its maximum permitted daily disposal volume; thus, waste

²⁷ Environmental Protection Agency, 2009. *Estimating Building-Related Construction and Demolition Materials Amounts* <https://www.epa.gov/sites/production/files/2017-09/documents/estimating2003buildingrelatedcanddmaterialsamounts.pdf>.

²⁸ California Department of Resources Recycling and Recovery, 2019. *Estimated Solid Waste Generation Rates*. <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>.



generated by the Project’s operation is not anticipated to cause the landfill to exceed its maximum permitted daily disposal volume. Because the Project would generate a relatively small amount of solid waste per day as compared to the permitted daily capacity at the Mid-Valley Landfill, impacts to regional landfill facilities during the Project’s long-term operational activities would be less than significant.

Threshold “e:” Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The California Integrated Waste Management Act (AB 939), signed into law in 1989, established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the bill established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted. Per the requirements of the Integrated Waste Management Act, the San Bernardino County Board of Supervisors adopted the County of San Bernardino Countywide Integrated Waste Management Plan (County of San Bernardino, 2018), which outlines the goals, policies, and programs the County and its cities implement to create an integrated and cost-effective waste management system that complies with the provisions of AB 939 and its diversion mandates.

In order to assist the City of Rialto and the County of San Bernardino in achieving the mandated goals of the Integrated Waste Management Act, and pursuant to City of Rialto Municipal Code Chapter 8.08, the Project provides separate bins on the southwestern portion of the Project Site (within the truck court) to allow tenants to separate recyclable materials from refuse. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (PRC Section 42911), the Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued (CA Legislative Info, 2005)²⁹. Further, in compliance with AB 341 (Mandatory Commercial Recycling Program), the future occupant(s) of the proposed Project would be required to arrange for recycling services, if the occupant generates four (4) or more cubic yards of solid waste per week (CA Legislative Info, 2011)³⁰. The implementation of these mandatory requirements would reduce the amount of solid waste generated by the Project and diverted to landfills, which in turn will aid in the extension of the life of affected disposal sites. The Project Applicant would be required to comply with all applicable solid waste statutes and regulations; as such, impacts related to solid waste statutes and regulations would be less than significant.

4.13.6 CUMULATIVE IMPACT ANALYSIS

A Utility Infrastructure

The Project would require connections to existing water, sewer, stormwater, electric power, and telecommunications facilities to provide utility service to the Project Site. The construction of the Project’s utility infrastructure would result in environmental impacts related to air quality, noise, and water quality effects; the cumulative effects of the Project’s construction-level impacts under these issues were previously

²⁹ California Legislative Information, 2005. *California Solid Waste Reuse and Recycling Access Act of 1991*. https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC§ionNum=42911..

³⁰ California Legislative Information, 2011. *Assembly Bill No. 341*. https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB341.



disclosed in EIR Subsections 4.2, 4.6, 4.8, and 4.10. There are no components of the Project's water, sewer, stormwater drainage, or utility connections that would result in cumulatively-considerable impacts not already disclosed in this EIR. Accordingly, Project impacts due to new or expanded water, wastewater treatment, stormwater drainage, and utility connections would be less-than-cumulatively considerable.

B **Water Service**

Based on data contained in the *2020 San Bernardino Valley Regional UWMP*, the City would have adequate water supplies during normal, dry, and multiple dry years to meet the Project's demands in addition to its existing and planned service obligations. Therefore, cumulative impacts on water supply would not be cumulatively considerable.

C **Wastewater Treatment Service**

Under long-term, cumulative conditions, the City anticipates future increases in the demand for wastewater treatment services as the population within their service area grows and is proactively upgrading the RWTP and expanding its service capabilities. As discussed within the response to Threshold "c," the Project would not directly result in the need for expanded wastewater treatment facilities because the RWTP has sufficient excess capacity to handle wastewater generated by the Project. In fact, the RWTP has sufficient excess treatment capacity under existing conditions to service the Project plus an additional 2,447 acres of industrial development ($[3.7 \text{ million gpd} \div 1,500 \text{ gpd/acre}] = 2,467 \text{ acres}$), which far exceeds the demands that could be placed upon the facility by cumulative development projects within the RWTP's service area (refer to EIR Subsection 4.0 for a summary of the cumulative study area). Notwithstanding, the Project's incremental contribution to wastewater generation may contribute to a long-term need to expand the RWTP beyond its ongoing expansion and/or the construction of additional wastewater treatment facilities. Any proposed changes to capacity of the City or any facility maintained by the City are reviewed throughout the year by the City. For all new development within the RWTP's service area, connection and service fees are allocated to assist in the financing of any future collection and disposal facilities and any future new/modified sewer treatment plant facilities. Cumulative development within the RWTP's service area would not exceed the capacity of the wastewater treatment system because the RWTP would be expanded in the future as growth occurs. Therefore, the Project's cumulative impacts to wastewater treatment facilities are evaluated as less than significant.

D **Solid Waste Disposal**

Solid waste generated by construction and operation of the Project would represent nominal proportions of the daily disposal capacities at the Mid-Valley Landfill. The Mid-Valley Landfill has a sufficient daily capacity to handle solid waste generated by the Project and other cumulative developments both during construction and long-term operation. As an example, based on its existing permitted daily disposal capacity and existing average daily disposal volumes, the Mid-Valley Landfill has adequate disposal capacity to accept waste from the Project plus an additional 624 million square feet of industrial development on a daily basis ($[2,217.5 \text{ tons of excess daily disposal capacity} \times 2,000 \text{ pounds}] \div [1.42 \text{ lbs/100 sq. ft} \times 50 \text{ percent waste diversion requirement}] = 624,647,887 \text{ s.f.}$). The Project's incremental contribution to solid waste generation may contribute to long-term need for expanding the solid waste disposal facilities that would serve the Project and/or the construction of additional solid waste disposal facilities. Moreover, it is possible that as other



developments in the region are proposed, construction of new solid waste disposal facilities to serve those developments could occur, and such facilities may or may not receive solid waste generated by the Project. The City's waste hauler would use a variety of landfills in the area, if needed. With planned expansion activities of landfills in the Project vicinity (including the Mid-Valley Landfill), sufficient permitted landfill capacity would exist to accommodate future disposal needs through at least 2045. Therefore, cumulative development would not create demands for solid waste services that would exceed the capabilities of the existing waste management system. Therefore, the Project's cumulative impacts to solid waste disposal facilities are evaluated as less than significant.

Each individual development project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Coordination with the utility providers would allow for the provision of utility services to development projects without interrupting or degrading services to existing customers. The Project and other development projects are subject to connection and service fees to offset increased demand and assist in facility expansion and service improvements (at the time of need). Because the comprehensive utility and service planning and coordination activities described above would ensure that new development projects do not disrupt or degrade the provision of utility services, cumulatively considerable impacts to utilities and service systems would not occur.

4.13.7 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold "a:" Less-than-Significant Impact. The Project would not result in substantial adverse effects to the environment during the construction of water, wastewater, stormwater drainage, and electric power infrastructure.

Threshold "b:" Less-than-Significant Impact. The City of Rialto is expected to have sufficient water supplies to service the Project. The Project would not exceed the City's available supply of water during normal years, single-dry years, or multiple-dry years.

Threshold "c:" Less-than-Significant Impact. The City of Rialto would provide wastewater treatment services to the Project Site via the RWTP, which has adequate capacity to service the Project and no new or expanded facilities would be needed.

Threshold "d:" Less-than-Significant Impact. There is adequate capacity available at the Mid-Valley Landfill to accept the Project's solid waste during both construction and long-term operation. The Project would not generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure to handle the waste.

Threshold "e:" Less-than-Significant Impact. The Project would comply with all applicable federal, State, and local statutes and regulations related to the management and reduction of solid waste and pertaining to waste disposal, reduction, and recycling.

4.13.8 MITIGATION

Impacts would be less than significant; therefore, mitigation is not required.



5.0 OTHER CEQA CONSIDERATIONS

5.1 SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED

The CEQA Guidelines require that an EIR disclose the significant environmental effects of a proposed project that cannot be reduced to a level of insignificance if the project is implemented and, where impacts cannot be alleviated without imposing an alternative design, the reasons why the project is being proposed, notwithstanding their effect, should be described (CEQA Guidelines Section 15126(b) & Section 15126.2(c)). As described in detail in Section 4.0, *Environmental Analysis*, of this EIR, the proposed Project is anticipated to result in impacts to the environment that cannot be reduced to below a level of significance after the consideration of Project design features, compliance with applicable federal, State and local regulations, and the application of the feasible mitigation measures identified in this EIR. The Project's significant impacts that cannot be mitigated to a level below thresholds of significance consist of the following:

- Air Quality Management Plan Conflict: The Project would emit NO_x that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB. Because the Project requires a General Plan Amendment, it also would exceed the growth projections contained in SCAQMD's 2016 AQMP. As such, the Project would conflict with and could obstruct implementation of the AQMP. Project impacts due to a conflict with the SCAQMD 2016 AQMP would be significant and unavoidable on both a direct and cumulatively-considerable basis. (Refer to EIR Subsection 4.2, *Air Quality*.)
- Criteria Pollutant Emissions: After the application of Project design features, mandatory regulatory requirements, and feasible mitigation measures, Project-related NO_x emissions during long-term operation would remain above the applicable SCAQMD regional thresholds. Accordingly, Project-related emissions would not meet SCAQMD air quality standards and contribute to the non-attainment of ozone standards in the SCAB. Therefore, Project operational-related impacts due to NO_x emissions would be significant and unavoidable on a direct and cumulatively-considerable basis. (Refer to EIR Subsection 4.2, *Air Quality*.)
- GHG Emissions Generation: After the application of Project design features, mandatory regulatory requirements, and feasible mitigation measures, Project-related GHG emissions would exceed the applicable significance threshold and would result in a cumulatively-considerable impact to the environment. (Refer to EIR Subsection 4.6, *Greenhouse Gas Emissions*.)
- Total VMT: Project-generated total VMT, which is inclusive of VMT from home-based work trips plus heavy truck trips, would exceed the regional baseline threshold for VMT and would be significant and unavoidable on a direct and cumulatively-considerable basis. (Refer to EIR Subsection 4.11, *Transportation*.)

Notwithstanding the significant and unavoidable effects listed above, the Project is proposed to develop a modern warehouse distribution building in the City that is located in close proximity to the State highway system, that will increase local employment opportunities, and improve the City's economic competitiveness. This underlying purpose aligns with various aspects of the SCAG's 2020-2045 RTP/SCS, primarily related to accommodating goods movement industries and balancing job and housing opportunities in local areas to



reduce long commutes from home to work. SCAG identifies the Inland Empire as a housing rich area and coastal communities as job rich areas and is striving in their policies to achieve more equal balances locally. The Project would contribute toward the achievement of a more equal jobs-to-housing ratio in the Inland Empire by creating short-term construction jobs, which are estimated to generate \$22,633,000 in labor income over the Project’s construction phase, and creating long-term employment to the tune of 542 full-time equivalent jobs and 639 total jobs, which are estimated to generate \$47,190,000 annually in labor income (DPFG, 202; pp. 2-3).

5.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE CAUSED BY THE PROJECT SHOULD IT BE IMPLEMENTED

The CEQA Guidelines require EIRs to address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented (CEQA Guidelines Section 15126.2(c)). An environmental change would fall into this category if: a) the project would involve a large commitment of non-renewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environmental accidents; or d) the proposed consumption of resources are not justified (e.g., the project results in the wasteful use of energy).

Determining whether the Project may result in significant irreversible environmental changes requires a determination of whether key non-renewable resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. Natural resources, in the form of construction materials and energy resources, would be used in the construction of the proposed Project. The consumption of these natural resources would represent an irreversible change to the environment. However, development of the Project Site as a warehouse distribution facility would have no measurable adverse effect on the availability of such resources, including resources that may be non-renewable (e.g., construction aggregates, fossil fuels) and, in fact, the Project would crush existing on-site concrete and re-use the crushed concrete as a base material during Project construction to minimize the demand for construction aggregates and fossil fuels (that would be used to power the haul trucks bringing aggregates to the Project Site). Additionally, the Project is required by law to comply with the California Green Building Standards Code (CALGreen), which will minimize the Project’s demand for energy, including energy produced from non-renewable sources. A more detailed discussion of Project energy consumption is provided in EIR Subsection 4.4, *Energy*.

Implementation of the Project would commit the Project Site to one large warehouse building. The land use proposed is compatible with the existing industrial land uses that are located north, east, and west of the Project Site and also compatible with the use of Valley Boulevard as a City-designated truck route, which abuts the Project Site on the south. Although the Project would result in unavoidable physical impacts to air quality, greenhouse gas emissions, and transportation, these effects are significant due to their effect on the region, not their local impacts to receptors located near the Project Site. Accordingly, the Project and its environmental effects would not compel or commit surrounding properties to land uses other than those that are existing today or those that are planned by the City of Rialto (“City”) General Plan or the Gateway Specific Plan. For this reason, the Project would not result in a significant, irreversible change to nearby, off-site properties.



EIR Subsection 4.7, *Hazards and Hazardous Materials*, provides an analysis of the potential for hazardous materials to be transported to/from the Project Site and/or used on the Project Site during construction and operation. As concluded in Subsection 4.7, mandatory compliance with federal, State, and local regulations related to hazardous materials handling, storage, and use by all Project construction contractors (near-term) and occupants (long-term) would ensure that any hazardous materials used on-site would be safely and appropriately handled to preclude any irreversible damage to the environment that could result if hazardous materials were released from the site.

As discussed in detail under EIR Subsection 4.4, *Energy*, the Project would not result in a wasteful, inefficient, or unnecessary consumption of energy. Accordingly, the Project would not result in a significant, irreversible change to the environment related to energy use.

Based on the above, Project construction and operation would require the commitment of limited, slowly renewable and non-renewable resources. However, this commitment of resources would not be substantial and would be consistent with regional and local growth forecasts and development goals for the area. The loss of such resources would not be highly accelerated when compared to existing conditions, and such resources would not be used in an inefficient or wasteful manner. Project construction and operation would adhere to the sustainability requirements of Title 24, Green Building Code, and CALGreen. Therefore, the Project would not result in the commitment of large quantities of natural resources that would result in significant irreversible environmental changes. Furthermore, as demonstrated by the analysis above, the Project's would result in substantial public benefits; hence, the limited use of nonrenewable resources or slowly renewable resources by the Project would be justified.

5.3 GROWTH INDUCING IMPACTS OF THE PROJECT

CEQA requires a discussion of the ways in which the proposed Project could be growth inducing. The CEQA Guidelines identify a project as growth inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment (CEQA Guidelines Section 15126.2(d)). New employees and new residential populations represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area.

A project could indirectly induce growth at the local level by increasing the demand for additional goods and services associated with an increase in population or employment and thus reducing or removing the barriers to growth. This typically occurs in suburban or rural environs where population growth results in increased demand for service and commodity markets responding to the new population of residents or employees.

According to regional population projections included in SCAG's *Connect SoCal*, the City of Rialto's population is projected to grow by 39,800 residents between 2016 and 2045 (approximately 1.4% annual growth) (SCAG, 2020b, Table 14)¹. Over this same time period, employment in the City is expected to add 10,000 new jobs (approximately 1.4% annual job growth) (ibid). The Project's employees (short-term construction and long-term operational) would purchase goods and services in the region, but any secondary

¹ Southern California Association of Governments, 2020. *Demographics and Growth Forecast*. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579.



increase in employment associated with meeting these goods and services demands is expected to be accommodated by existing goods and service providers and, based on the amount of existing and planned future commercial and retail services available in areas near the Project Site, would be highly unlikely to result in any unanticipated, adverse physical impacts to the environment. In addition, the Project is estimated to create 542 full-time jobs (DPFG, 2021). When accounting for seasonal, part-time and full-time positions, the Project is estimated to create 639 total jobs, a majority of which would likely be filled by residents of the housing units either already built or planned for development within the City and nearby incorporated and unincorporated areas (DPFG, 2021). Accordingly, because it is anticipated that most of the Project’s future employees would already be living in the City or the immediate Inland Empire area, the Project’s introduction of employment opportunities on the Project Site would not induce substantial growth in the area.

Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. Typically, growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in applicable master plans, land use plans, or in projections made by regional planning agencies such as SCAG. Significant growth impacts also could occur if a project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies. In general, growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way.

The Project represents infill, urban redevelopment with land uses in an area of the City that is planned for employment-generating land uses. The Project would not extend roads or infrastructure to an area that is not already served by these facilities. Thus, the Project would not remove obstacles to growth or include improvements that that could induce growth. Furthermore, the area surrounding the Project Site consists of a storm drain channel and industrial development to the north, industrial development to the west, industrial development to the east, and industrial and commercial development to the south. Development of the Project Site is not expected to place short-term development pressure on abutting properties because these areas are already built-out under existing conditions.

Based on the foregoing analysis, the Project would not result in substantial, adverse growth-inducing impacts.

5.4 EFFECTS FOUND NOT TO BE SIGNIFICANT DURING THE EIR SCOPING PROCESS

CEQA Guidelines Section 15128 requires that an EIR “...contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.” The Project’s Initial Study and the Notice of Preparation for this EIR, both of which are included in *Technical Appendix A* to this EIR, determined that implementation of the Project would clearly have no potential to result in significant impacts under seven environmental issue areas: agriculture and forest resources, biological resources, mineral resources, population and housing, public services, recreation, and wildfire. Therefore, these issue areas were not required to be analyzed in detail in EIR Section 4.0, *Environmental Analysis*. A brief summary of the Project’s impacts to agriculture and forest resources, biological resources, mineral resources, population and housing, public services, recreation, and



wildfire is presented below. Refer to *Technical Appendix A* for the complete analysis under each threshold and the information sources used in the analysis.

5.4.1 AGRICULTURE AND FORESTRY RESOURCES

Threshold “a:” Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

According to mapping information available from the California Department of Conservation’s (CDC) Farmland Mapping and Monitoring Program (FMMP), the Project Site contains “Urban and Built-Up Land”. Accordingly, the Project Site does not contain any lands mapped by the FMMP as “Prime Farmland,” “Unique Farmland,” or “Farmland of Statewide Importance” and thus, implementation of the Project would not convert such Farmland to a non-agricultural use. No impact would occur.

Threshold “b:” Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The Project Site is not subject to a land conservation (Williamson Act) contract. In addition, the Project Site is zoned for “I-P” and “F-C” land uses by the Gateway Specific Plan; therefore, implementation of the Project has no potential to conflict with existing zoning for an agricultural use. No impact would occur.

Threshold “c:” Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

The Project Site is zoned for “I-P” and “F-C” land uses and is not zoned as forest land, timberland, or Timberland Production, nor is it surrounded by forest land, timberland, or Timberland Production land. There are no lands located within the City that are zoned for forest land, timberland, or timberland zoned Timberland Production. Therefore, the Project has no potential to conflict with any areas currently zoned as forest, timberland, or Timberland Production and will not result in the rezoning of any such lands. As such, no impact will occur.

Threshold “d:” Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

The Project Site does not contain a forest and is not designated as forest land; thus, the proposed Project will not result in the loss of forest land or the conversion of forest land to non-forest use. As such, no impact will occur.



Threshold “e:” Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

“Farmland” is defined in Section II (a) of Appendix G of the CEQA Guidelines as “Prime Farmland,” “Unique Farmland” or “Farmland of Statewide Importance” (“Farmland”). As disclosed above under Threshold “a”, the Project would not result in the conversion of Farmland to non-agricultural use.

As discussed under the responses to Thresholds “c” and “d,” above, the Project would not convert forest land to non-forest use. No impact would occur.

5.4.2 BIOLOGICAL RESOURCES

Threshold “a:” Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service?

The Project Site is completely disturbed and developed under existing conditions and has been so for at least 25 years. The entire Project Site is covered by structures, pavement, gravel, or cleared, packed dirt and is used for parking and equipment/materials storage. No natural habitats or plant communities are present on the Project Site and the Project Site is not adjacent to any natural, undeveloped areas. Due to the existing conditions of the site, the Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. No impact would occur.

Threshold “b:” Would the Project have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The Project Site is completely disturbed and developed and does not contain riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service. As such, no impact would occur.

Threshold “c:” Would the Project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The Project Site is completely disturbed and developed and does not contain State or federally protected wetlands. Therefore, implementation of the Project would not have a substantial adverse effect on State or federally protected wetlands through direct removal, filing, hydrological interruption, or other means. No impact would occur.



Threshold “d:” Would the Project interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The Project Site is disturbed and does not support a diversity of native wildlife. The Project Site is located in an urbanized area – paved roads, fencing, and developed land surrounding the Project Site block terrestrial wildlife movement from all directions – and the Project Site is not located adjacent to open space areas. Accordingly, the Project Site is not expected to serve as a wildlife movement corridor. Furthermore, the Project Site does not support vegetation that could be used by native or migratory birds as a nesting/nursery site. Based on the foregoing, implementation of the Project would not interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Threshold “e:” Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The City does not have any policies or ordinances protecting biological resources that are applicable to the Project Site. No impact would occur.

Threshold “f:” Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?

The Project Site is not located in an area covered by a Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan has been adopted. Accordingly, the Project has no potential to conflict with any such plans, and no impact would occur.

5.4.3 MINERAL RESOURCES

Threshold “a:” Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Threshold “b:” Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The majority of the Project Site is located within Mineral Resource Zone 3 (MRZ 3), which is a designation placed upon areas where the significance of mineral deposits is unknown. A sliver of the Project Site abutting Willow Avenue is located within Mineral Resource Zone 2 (MRZ 2), which is a designation placed upon areas where mineral resources are likely present (ibid). The MRZ-2 classification is applied to a portion of the Project Site due to the likely presence of Plain Cement Concrete (PCC)-grade aggregate resources (ibid.). Despite the potential presence of PCC-grade aggregate resources on a small portion of the Project Site, the potential deposits on and abutting the Project Site are not classified as a regionally-significant deposit. Thus, implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California. Accordingly, a less-than-significant impact would occur.



5.4.4 POPULATION AND HOUSING

Threshold “a:” Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposed Project would result in development of the Project Site with industrial land uses that would add employment opportunities to the area. It is anticipated that the employment base for both the construction and operational phases of the Project would come from the existing population in the Inland Empire, which comprises western Riverside County and southwestern San Bernardino County. According to the Bureau of Labor Statistics, the Riverside-San Bernardino-Ontario region’s civilian labor force contains approximately 2,071,914 persons with approximately 1,908,605 people employed and an unemployment rate of approximately 8% (approximately 163,309 persons). Accordingly, the Project region contains an ample supply of potential employees under existing conditions and the Project’s labor demand is not expected to draw substantial numbers of new residents to the area. Furthermore, approximately 92% of City residents commute outside of the City for work; therefore, the Project would provide job opportunities closer to home for existing and future Rialto residents (approximately 542 full-time equivalent jobs and 639 total jobs).

There are no components of the Project that would reasonably result in indirect or unplanned population growth because the surrounding area is mostly developed under existing conditions or planned for development by the Gateway Specific Plan. The Project would install new/expanded infrastructure; however, this infrastructure would either be master-planned facilities (meaning the facilities would be installed with or without the Project) or private facilities for the sole use of the Project (meaning they would not be available for general public use). Accordingly, no significant indirect impacts associated with population growth would result from any Project-related improvements because the Project and its required improvements would not induce substantial growth within surrounding areas.

Based on the foregoing analysis, neither the Project nor any Project-related component would result in substantial, direct, or indirect population growth that would cause a significant direct or indirect impact to the environment. Impacts would be less than significant.

Threshold “b:” Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Under existing conditions, the Project Site is completely developed as outdoor storage for trailers, construction equipment, and construction materials, and contains several outbuildings used for storage and offices. The removal of these structures would not result in the displacement of substantial numbers of existing people or housing and would not necessitate the construction of replacement housing elsewhere. As such, no impact would occur.



5.4.5 PUBLIC SERVICES

Threshold “a:” Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Fire Protection?

The Rialto Fire Department provides fire protection service to the Project area from Station 205, which is located at 1485 S. Willow Avenue – across the street from the Project Site. Based on the Project Site’s proximity to Station 205, this station will be able to adequately meet the Project’s demand for fire protection services and implementation of the Project would not result in the need for new, expanded, or unplanned facilities would be required.

The Project is required to comply with the provisions of the City’s Development Impact Fee (DIF) Ordinance (Rialto Municipal Code Chapter 3.33), which requires a fee payment that the City applies to the funding of fire protection facilities. The City will collect DIF from the Project Applicant at the time of building permit issuance (based on building square footage). The Project’s payment of DIF, as well as increased tax revenues that would result from development of the Project, would be used by the City to help pay for fire protection services and other public services.

The Project would incorporate fire prevention and fire suppression design features to minimize the potential demand placed on the Rialto Fire Department. The proposed warehouse distribution building would be of concrete tilt-up construction. Concrete is non-flammable and concrete tilt-up buildings have a lower fire hazard risk than wood-frame construction. The Project also would install fire hydrants on-site and would provide paved primary and secondary emergency access to the Project Site to support the Rialto Fire Department in the event fire suppression activities are needed on-site. Lastly, the proposed warehouse distribution building would be equipped with fire sprinklers in accordance with the California and Rialto building codes. Based on its size and scale, the proposed building would likely feature Early Suppression, Fast Response (ESFR) ceiling mounted fire sprinklers (or a comparable fire suppression system) that exceed the fire protection of traditional sprinkler systems. ESFR high output, high volume systems are located in ceiling spaces as with conventional fire sprinkler systems, but they incorporate large, high-volume, high-pressure heads to provide the necessary fire protection for industrial buildings that may contain high-piled storage. While most other sprinklers are intended to control the growth of a fire, an ESFR sprinkler system is designed to suppress a fire. To suppress a fire does not necessarily mean it will extinguish the fire but rather it is meant to "knock" the fire back down to its source.

Based on the foregoing, the Project incorporates several design features to minimize fire hazards. Additionally, the Project would receive adequate fire protection service and would not result in the need for new or physically altered fire protection facilities and the Project Applicant would pay DIF and the Project would generate other revenues (e.g., tax) that would help offset the Project’s demand for fire protection services. Impacts to fire protection facilities would be less than significant.



Threshold “b:” Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Police Protection?

The Rialto Police Department provides police protection services to the Project area from its station at 128 North Willow Avenue. Implementation of the Project would result in an incremental increase in demand for police protection services relative to existing uses on the Project Site, but the increase is not anticipated to be substantial and would not require or result in the construction of new or physically altered police facilities. The Project Applicant would be required to comply with the provisions of the City’s DIF Ordinance (Municipal Code Chapter 3.33). This ordinance requires a fee payment that the City applies to the funding of public facilities, including police protection facilities. The City will collect the Project’s DIF share from the Project Applicant at the time of building permit issuance (based on building square footage). The Project’s payment of DIF, as well as increased tax revenues that would result from development of the Project, would be used by the City to help pay for police protection services and other public services. Based on the foregoing, the proposed Project would receive adequate police protection service, and would not result in the need for new or physically altered police protection facilities. Impacts to police protection facilities would therefore be less than significant.

Threshold “c:” Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Schools?

Implementation of the Project would not create a direct demand for public school services, as the Project Site would contain non-residential uses that would not generate any school-aged children requiring public education. The addition of employment-generating uses on the Project Site would assist the City in achieving its goal to provide a better jobs/housing balance within the City (allowing more City residents to work within the City rather than commute elsewhere). Thus, the Project is not expected to draw a substantial number of new residents to the region and would therefore not indirectly generate new school-aged students in the City requiring public education. Because the Project would not directly generate students and is not expected to indirectly draw students to the area, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. Although the Project would not create a demand for additional public school services, the Project Applicant would be required to contribute development impact fees to the Colton Joint Unified School District in compliance with California Senate Bill 50 (Greene), which allows school districts to collect fees from new developments to offset the costs associated with increasing school capacity needs. Mandatory payment of school fees would be required prior to the issuance of a building permit. With mandatory payment of fees in accordance with California Senate Bill 50, impacts to public schools would be less than significant.



Threshold “d:” *Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Parks?*

As discussed under the responses to “Recreation” Thresholds “a” and “b,” below, the proposed Project would not create a demand for public park facilities and would not result in the need to modify existing or construct new park facilities. Accordingly, implementation of the proposed Project would not adversely affect any park facility. No impact would occur.

Threshold “e:” *Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Other Public Facilities?*

The proposed Project is not expected to result in a demand for other public facilities/services, including libraries, community recreation centers, post offices, and animal shelters. As such, implementation of the proposed Project would not adversely affect other public facilities or require the construction of new or modified public facilities. No impact would occur.

5.4.6 RECREATION

Threshold “a:” *Would the Project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The Project does not propose any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. No impact would occur.

Threshold “b:” *Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The Project does not include the construction of any new on- or off-site recreation facilities. The Project would not expand any existing off-site recreational facilities. Therefore, environmental effects related to the construction or expansion of recreational facilities would not occur with implementation of the proposed Project. No impact would occur.



5.4.7 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones,

Threshold “a:” *Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?*

Threshold “b:” *Would the Project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

Threshold “c:” *Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Threshold “d:” *Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The Project Site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, the Project would not exacerbate existing wildfire hazard risks or expose people or the environment to adverse environmental effects related to wildfires. No impact would occur.



6.0 ALTERNATIVES

Pursuant to CEQA Guidelines Section 15126.6(a):

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selection of a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

As discussed in Section 4.0 of this EIR, the Project would result in significant adverse environmental effects under four environmental issue areas that cannot be mitigated to below a level of significance after the implementation of Project design features, mandatory regulatory requirements, and all feasible mitigation measures. The unavoidable significant impacts are:

- Air Quality Management Plan Conflict: The Project would emit NO_x that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB. Because the Project requires a General Plan Amendment, it also would exceed the growth projections contained in SCAQMD's 2016 AQMP. As such, the Project would conflict with and could obstruct implementation of the AQMP. Project impacts due to a conflict with the SCAQMD 2016 AQMP would be significant and unavoidable on both a direct and cumulatively-considerable basis. (Refer to EIR Subsection 4.2, *Air Quality*.)
- Criteria Pollutant Emissions: After the application of Project design features, mandatory regulatory requirements, and feasible mitigation measures, Project-related NO_x emissions during long-term operation would remain above the applicable SCAQMD regional thresholds. Accordingly, Project-related emissions would not meet SCAQMD air quality standards and contribute to the non-attainment of ozone standards in the SCAB. Therefore, Project operational-related impacts due to NO_x emissions would be significant and unavoidable on a direct and cumulatively-considerable basis. (Refer to EIR Subsection 4.2, *Air Quality*.)
- GHG Emissions Generation: After the application of Project design features, mandatory regulatory requirements, and feasible mitigation measures, Project-related GHG emissions would exceed the applicable significance threshold and would result in a cumulatively-considerable impact to the environment. (Refer to EIR Subsection 4.6, *Greenhouse Gas Emissions*.)
- VMT Impact: Project-generated total VMT, which is inclusive of VMT from home-based work trips plus heavy trucks, would exceed the regional baseline threshold for VMT and would be significant and unavoidable on a direct and cumulatively-considerable basis. (Refer to EIR Subsection 4.11, *Transportation*.)



6.1 ALTERNATIVES UNDER CONSIDERATION

CEQA Guidelines Section 15126.6(e) requires that an EIR include an alternative that describes what would reasonably be expected to occur on the Project Site in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services (i.e., “No Project” Alternative). For projects that include a revision to an existing land use plan, the “No Project” Alternative may be the continuation of the existing land use plan into the future. For projects other than a land use plan (for example, a development project on a specific property), the “No Project” Alternative is considered to be the circumstance under which the project does not proceed (CEQA Guidelines Section 15126(e)(3)(A-B). Because the Project includes a land use plan amendment (both a General Plan Amendment and Specific Plan Amendment) and a site-specific development proposal, this EIR includes two “No Project” Alternative analyses: (1) The scenario where the Project does not proceed and the Project Site remains in its existing condition is evaluated as the “No Development Alternative,” and (2) The potential scenario where the Project Site is used in accordance with the City’s existing land use plans (the Gateway Specific Plan) is evaluated as the “Gateway Specific Plan Alternative.”

In compliance with CEQA Guidelines Section 15126.6(a), an EIR must describe “a range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.” The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location of the project, which would avoid or substantially lessen significant effects of the project, even if “these alternatives would impede to some degree the attainment of the project objectives, or would be more costly” (CEQA Guidelines Section 15126.6(b)).

The following alternatives are analyzed in this Section:

6.1.1 NO DEVELOPMENT ALTERNATIVE

The No Development Alternative considers no development on the Project Site beyond what occurs on the Site under existing conditions. Under this Alternative, the outdoor storage lot for trailers, construction equipment, and construction materials, and several structures and outbuilding used for storage and offices would remain on the Project Site for the foreseeable future. This Alternative was used to compare the environmental effects of the proposed Project with an alternative that would leave the property in its existing state.

6.1.2 GATEWAY SPECIFIC PLAN ALTERNATIVE

The Gateway Specific Plan Alternative considers redevelopment of the Project Site in accordance with the site’s existing land use designations under the Gateway Specific Plan. The approximately 8.5 acres of the Site that abut Valley Boulevard would be developed with “F-C” land uses and the approximately 12.5 acres that comprise the northern portion of the Site would be developed with “Industrial Park” land uses. The Gateway Specific Plan allows a variety of commercial land uses developed at a maximum FAR of 0.5 within “F-C” areas. Within “I-P” areas, the Gateway Specific Plan allows a variety of light industrial land uses at a maximum FAR of 1.0. For purposes of analysis, this Alternative would provide for the development of an approximately 150,000 s.f. shopping center offering retail stores, commercial services, and restaurants/cafes



on the southern portion of the Project Site. Additionally, an approximately 290,000 s.f. warehouse distribution facility would be constructed on the northern portion of the Site. This Alternative was used to compare the environmental effects of the Project against a development proposal that conforms to the land use standards and development regulations prescribed by the City of Rialto's General Plan and the Gateway Specific Plan.

6.1.3 REDUCED BUILDING AREA ALTERNATIVE

The Reduced Building Area Alternative considers a proposal where the Project Site would be redeveloped with two separate uses: a warehouse distribution building and an outdoor industrial storage area. Under this Alternative, an approximately 325,000 s.f. warehouse distribution building would be developed on the southern portion of the Project Site and an approximately seven (7)-acre outdoor industrial storage area would be developed on the northern portion of the Project Site. This Alternative was used to evaluate a scenario that would reduce the total building area on the Project Site but still allow productive industrial use of the entire Project Site.

6.1.4 FLEX BUILDING ALTERNATIVE

The Flex Building Alternative considers a proposal where the Project Site would be redeveloped with multiple flexible ("flex") industrial buildings ranging from 10,000 s.f. to 35,000 s.f. Approximately 320,000 s.f. of total building area would be provided on the Project Site under the Flex Building Alternative. Flex buildings allow a wide range of industrial uses, such as small-scale workshops and light manufacturing, that also feature office and warehouse components. Also, flex buildings typically have loading areas comprised of only a few ground-level, roll-up doors in-lieu of numerous dock-high doors found at larger industrial buildings. This Alternative was used to evaluate a scenario that would develop the Project Site with industrial land uses that are less reliant on heavy truck activity.

6.2 ALTERNATIVES CONSIDERED AND REJECTED

An EIR is required to identify any alternatives that were considered by the Lead Agency but were rejected as infeasible. Among the factors described by CEQA Guidelines Section 15126.6 in determining whether to exclude alternatives from detailed consideration in the EIR are: a) failure to meet most of the basic project objectives, b) infeasibility, or c) inability to avoid significant environmental impacts. With respect to the feasibility of potential alternatives to the Project, CEQA Guidelines Section 15126.6(f)(1) notes:

"Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries...and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site..."

In determining an appropriate range of alternatives to be evaluated in this EIR, a number of possible alternatives were initially considered and, for a variety of reasons, rejected. Alternatives were rejected because either: 1) they could not accomplish the basic objectives of the Project, 2) they would not have resulted in a reduction of significant adverse environmental impacts, or 3) they were considered infeasible to construct or operate. A summary of the alternatives that were considered but rejected are described below and on the following page.



6.2.1 ALTERNATIVE SITES

CEQA does not require that an analysis of alternative sites be included in an EIR. However, if the surrounding circumstances make it reasonable to consider an alternative site, then an alternative sites analysis should be considered and analyzed in the EIR. In making the decision to include or exclude an analysis of an alternative site, the “key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR” (CEQA Guidelines Section 15126.6(f)(2)).

Historic activities on the Project Site have resulted in pervasive and ongoing disturbance over the last 70+ years. The Project Site does not contain any natural/native habitat and the Project Site is used for the outdoor storage of trailers, construction equipment, and construction materials. The Project Site also contains several structures and outbuildings used for storage and offices for the businesses operating on the Site. Based on review of aerial photography and the City of Rialto General Plan Land Use Map, there are no other properties available for purchase by the Project Applicant in the City of Rialto with similar accessibility to the regional goods movement system, discussed in further detail below, that are large enough to support the proposed Project, and that have fewer developmental and environmental constraints than the Project Site evaluated in this EIR.

Development of the Project in an alternative location would likely result in similar (or greater) environmental impacts as would occur with implementation of the Project at the proposed Project Site. The Project’s significant and unavoidable impacts are related to vehicles traveling to/from the Project Site and not related to the presence of sensitive resources on the Project Site or its location near sensitive receptors. Vehicle-related impacts are a direct reflection of the Project’s expected operational characteristics as a warehouse distribution facility, regardless of where the Project is located. Because the Project Site abuts a designated truck route (Valley Boulevard) and is located in close proximity to on/off-ramps to I-10, any alternative site that was located farther from major arterial roads that are designated truck routes or regional freeways than the Project Site would increase vehicle miles traveled (and would result in a concomitant increase in the severity of air quality impacts from tailpipe emissions). Further, an alternative site that was not as thoroughly disturbed by existing development as the Project Site may have additional impacts that the Project would not.

In light of the foregoing reasons, a more detailed analysis of alternative sites is not warranted.

6.2.2 REVERSED BUILDING ALTERNATIVE

The City considered an alternative where the proposed warehouse building is reversed or “flipped” so that the loading docks and truck court would be located on the east side of the building, adjacent to Willow Avenue. This “Reversed Building Alternative” was examined to determine if any environmental benefits could be realized by increasing the minimum distance between on-site heavy truck use areas and existing residential and school receptors located west of the Project Site (abutting Lilac Avenue) from approximately 530 feet under the Project to approximately 880 feet.

The City found the Reversed Building Alternative to be less desirable than the Project for several reasons. First, under the Reversed Building Alternative, no truck access could be provided to the truck court from



Valley Boulevard due to the proximity of the truck court to the Willow Avenue/Valley Boulevard intersection. Because no truck access would be available under this alternative from Valley Boulevard, all trucks accessing the site would be required to use the truck entry from Willow Avenue. Only having one truck access point would increase the likelihood that trucks could stack onto City streets during peak operations, which would present safety risks for all motorists. Second, the Reversed Building Alternative would place a truck court that is screened by a 14-foot-tall solid screen wall adjacent to an intersection (Willow Avenue/Valley Boulevard) that the City has identified as a major entry for the Gateway Specific Plan area; placing a truck court – as opposed to a building with high quality architecture and landscaping – in such a highly visible area would not implement the vision of the Gateway Specific Plan.

The primary potential benefit that could be realized by the Reversed Building Alternative is a reduction in the exposure of nearby residents and school children to toxic air contaminant emissions from heavy trucks. However, as noted in EIR Subsection 4.2, *Air Quality*, the proposed Project would expose nearby residents and school children to less-than-significant impacts from toxic air contaminant emissions; the Project’s toxic air contaminant emissions would be 99.4 percent below the applicable residential exposure threshold and 98.2 percent below the applicable school child exposure threshold. Thus, in regards to potential toxic air contaminant emissions, the Reversed Building Alternative would only incrementally reduce an impact for which the Project’s impact was less than significant (and already far below the threshold of significance). All other environmental impacts would be similar or identical to the Project.

Ultimately, the City rejected the Reversed Building Alternative because this Alternative would not reduce or avoid any of the Project’s significant and unavoidable impacts while resulting in a Project that was less desirable for the City.

6.3 ALTERNATIVE ANALYSIS

The discussion on the following pages compares the environmental impacts expected from each alternative considered by the Lead Agency relative to the impacts of the Project. A conclusion is provided for each topic as to whether the alternative results in one of the following: (1) reduction of elimination of the Project’s impact, (2) a greater impact than would occur under the Project, (3) the same impact as the Project, or (4) a new impact in addition to the Project’s impacts. Table 6-1, *Alternatives to the Project – Comparison of Environmental Impacts*, at the end of this section compares the impacts of the alternatives against those of the Project and identifies the ability of the alternative to meet the basic objectives of the Project. As previously listed in EIR Section 3.0, the Project’s basic objectives are:

- A. To expand economic development, facilitate job creation, and increase the tax base for the City of Rialto by establishing new industrial development adjacent to established and planned industrial areas.
- B. To attract employment-generating businesses to the City of Rialto which will reduce the need for members of the local workforce to commute outside the area for employment, thereby improving the jobs-housing balance in the City.
- C. To develop a Class A warehouse distribution building that is designed to meet contemporary industry standards and be economically competitive with similar industrial buildings in the local area and region.



- D. To attract businesses that can expedite the delivery of essential goods to consumers and businesses in the City of Rialto and beyond.
- E. To develop a project that has architectural design and operational characteristics that complement existing nearby land uses.
- F. To develop a warehouse distribution building in close proximity to designated truck routes and the State highway system to avoid or shorten truck-trip lengths on other roadways.
- G. To redevelop an underutilized property that has access to available infrastructure, including roads and utilities.

6.3.1 NO DEVELOPMENT ALTERNATIVE

The No Development Alternative allows decision-makers to compare the environmental impacts of approving the Project to the environmental impacts that would occur if the Project Site were left in its existing conditions for the foreseeable future. Under existing conditions, the Project Site is entirely disturbed/developed with an outdoor storage lot for trailers, construction equipment, and construction materials, and several structures and outbuildings used for storage and offices. Refer to the description of the Project Site’s existing physical conditions in Section 2.0 of this EIR.

A Aesthetics

The Project Site does not contain any unique aesthetic resources, nor does it serve as a prominent scenic vista. Under the No Development Alternative, the visual character and quality of the Project Site would be maintained in its existing condition. No new structures, landscaping, or lighting would be introduced on the Project Site. The No Development Alternative would not have the potential to conflict with the existing character or quality of existing and planned development surrounding the Project Site and would not create a new source of substantial light or glare that would impact nighttime views in the area. The aesthetic impact of leaving the Project Site in its existing condition would be less than significant – the same level of impact as the proposed Project.

B Air Quality

The Project Site currently contains an outdoor storage lot with several structures and outbuildings for trucks, construction equipment, and construction materials that generate nominal amounts of air pollution associated with typical business operations (i.e., tailpipe emissions from vendor deliveries and employees traveling to and from the Project Site). The No Development Alternative would leave the Project Site in its existing condition and would retain these uses (and nominal amounts of air pollution). Notwithstanding, the No Development Alternative would avoid the Project’s significant and unavoidable impact related to operational NO_x emissions.

C Cultural Resources

The No Development Alternative would leave the Project Site in its existing condition; no grading would occur under this Alternative and there would be no potential impacts to subsurface archeological resources that may exist beneath the ground surface. Therefore, selection of this Alternative would avoid all site disturbances on the Project Site and the Project’s less-than-significant impacts to cultural resources would not occur.



D Energy

Under the No Development Alternative, the existing uses on the Project Site would continue to operate; therefore, there would be nominal demand for near-term and long-term electricity and fuel use on the Site. Selection of this Alternative would result in a less than significant impact to energy and would reduce the Project's near- and long-term energy use.

E Geology & Soils

The No Development Alternative would leave the Project Site in its existing condition. The No Development Alternative would not construct any new structures on the Project Site; accordingly, there would be no potential for this Alternative to expose people or structures to safety risks associated with geologic hazards.

F Greenhouse Gas Emissions

Under the No Development Alternative, no new development would occur on the Project Site and the existing businesses on-site would continue to operate. Therefore, with the exception of ongoing nominal GHG emissions associated with on-site business activities, there would be no new sources of near-term or long-term GHG emissions under the No Development Alternative. Selection of this Alternative would avoid all of the Project's near- and long-term effects associated with GHG emissions.

G Hazards & Hazardous Materials

Because no development would occur under the No Development Alternative, no new hazards would be introduced to the Project Site. However, the Project Site does have the potential to contain contaminated soils or other contaminated materials under existing conditions. The proposed Project would remediate the potential sources of on-site contamination which is a benefit that would not be realized under this Alternative. Accordingly, the No Development Alternative would result in greater, but still less than significant, impacts to hazards and hazardous materials than the proposed Project.

H Hydrology & Water Quality

No changes to the Site's existing hydrology and drainage conditions would occur under the No Development Alternative. No stormwater drainage improvements would be constructed on or adjacent to the Project Site and rainfall would continue to be discharged from the Project Site as sheet flow. Under this Alternative, the stormwater leaving the Project Site would not be treated to minimize waterborne pollutants and would continue to contain sediment and other potential pollutants. Therefore, the No Development Alternative would result in greater impacts to hydrology and water quality than the proposed Project; however, under this Alternative, impacts would remain less than significant.

I Land Use & Planning

The No Development Alternative would not result in any new development that would indirectly result in environmental impacts due to a conflict with an existing land use plan. Accordingly, selection of this alternative would avoid the Project's less than significant impacts to land use and planning.



J **Noise**

Under the No Development Alternative, no new sources of noise would be introduced on the Project Site and the noise generated by on-site businesses would continue. Additionally, because the Project Site would not be developed and no new traffic trips would be generated, the No Development Alternative would not contribute to an incremental increase in area-wide traffic noise levels. Selection of this Alternative would avoid the Project’s less-than-significant noise impacts.

K **Transportation**

The No Development Alternative would not generate any new daily traffic. Accordingly, this Alternative would avoid the Project’s impacts related to regional VMT, although there would still be less than significant VMT generated by the existing uses on the Project Site.

L **Tribal Cultural Resources**

The No Development Alternative would leave the Project Site in its existing condition. No grading would occur under this Alternative and there would be no potential impacts to subsurface tribal cultural resources that may exist beneath the ground surface. Therefore, selection of this Alternative would avoid all Site disturbances on the Project Site and the Project’s less-than-significant impacts to tribal cultural resources would not occur.

M **Utilities & Service Systems**

No new domestic water, sewer, or stormwater drainage facilities would be needed for the No Development Alternative, and there would be no additional demand for domestic water or wastewater treatment services. Also, this Alternative would not demand increased solid waste collection and disposal services. Neither the Project nor the No Development Alternative would result in significant impacts to utilities and service systems. Nonetheless, selection of this Alternative would avoid all of the Project’s demand placed on utilities and service systems.

N **Conclusion**

Implementation of the No Development Alternative would result in no physical environmental impacts to the Project Site beyond those that have historically occurred on the Project Site. All significant effects of the Project would be avoided by the selection of this Alternative.

Because the No Development Alternative would not re-develop the Project Site and would not promote local economic development, including through the creation of new jobs and the expansion of the local tax base, the No Development Alternative would fail to meet all of the Project’s objectives (refer to Table 6-1).

6.3.2 GATEWAY SPECIFIC PLAN ALTERNATIVE

The Gateway Specific Plan Alternative would provide for the development of an approximately 150,000 square foot (s.f.) shopping center, offering retail stores, commercial services, and restaurants/cafes, and with a maximum height of 55 feet on the southern portion of the Site. Access to the shopping center would be provided from multiple driveways connecting to Valley Boulevard and at least one driveway connecting to Willow Avenue. Additionally, an approximately 290,000 s.f., 35-foot-tall warehouse distribution facility



would be constructed on the northern portion of the Site. The warehouse distribution facility would have loading docks and truck trailer parking on the west side of the building, with passenger vehicle parking on the north and east sides of the building. The total FAR of this Alternative would be 0.50. The extent of physical ground disturbance and required utility infrastructure improvements are expected to be the same as would occur under the proposed Project. This Alternative was used to compare the environmental effects of the Project against a development proposal that conforms to the existing land use standards and development regulations prescribed by City of Rialto’s General Plan and the Gateway Specific Plan under the Project Site’s existing land use and zoning designations.

A Aesthetics

The Gateway Specific Plan Alternative would construct a shopping center along the southern portion of the Project Site (fronting Valley Boulevard) and a warehouse distribution facility on the northern portion of the Site (fronting Willow Avenue) as compared to the approximately 492,000 s.f. warehouse building proposed by the Project. Regardless, the visual characteristics (e.g., building height, building colors, parking areas, landscaping) of this Alternative would be relatively similar to the proposed Project. Therefore, the Gateway Specific Plan Alternative is not expected to be visually incompatible with surrounding existing and planned land uses and would not result in a significant adverse effect related to visual character or quality. Overall, the Gateway Specific Plan Alternative’s effect on aesthetics would be less than significant and is similar to the Project.

B Air Quality

The Gateway Specific Plan Alternative would result in construction activities across the entire Project Site, similar to the Project. The Gateway Specific Plan Alternative is expected to result in the construction of approximately 11 percent (52,000 s.f.) less building area than the Project, but would result in increased paving activities as compared to the Project (due to the need for a larger parking area to serve the shopping center). Therefore, the Gateway Specific Plan Alternative would produce construction-related air pollutant emissions for a longer duration than would occur with the Project. Notwithstanding, peak construction-related air quality effects during demolition, site preparation, and grading activities would be similar to the Project and this Alternative would be required to implement the same mitigation measures and comply with the same regulatory requirements as the Project.

The Gateway Specific Plan Alternative would generate substantially more traffic than the Project; approximately 7,500 daily traffic trips under this Alternative compared to approximately 1,750 daily traffic trips under the Project, relying on trip generation rates from the ITE Trip Generation Manual. Although the Gateway Specific Plan Alternative would reduce the number of heavy trucks traveling to and from the Project Site (resulting in a reduction in heavy truck tailpipe emissions, including diesel particulate matter emissions), the substantial increase in passenger vehicle traffic under this Alternative is expected to offset any air quality benefits realized from reducing heavy truck trips – and possibly result in greater impacts. Accordingly, the Gateway Specific Plan Alternative is expected to result in increased impacts to air quality compared to the proposed Project. Under both the Project and this Alternative, operational air quality impacts would be significant and unavoidable.



Like the Project, the Gateway Specific Plan Alternative would generate odors during short-term construction activities (e.g., diesel equipment exhaust, architectural coatings, asphalt) and long-term operation (e.g., diesel exhaust). However, similar to the Project, these odors would occur intermittently, be of a short-term duration, and would not be substantial. Long-term operation of this Alternative would not create objectionable odors affecting a substantial number of people and impacts would be less than significant of compliance with mandatory regulatory requirements.

C **Cultural Resources**

The Gateway Specific Plan Alternative would redevelop the entire Project Site and would have an identical development footprint as the Project and would require a similar depth of grading/earthwork as the Project. Thus, the Gateway Specific Plan Alternative would result in identical impacts to cultural resources as the Project. The Gateway Specific Plan Alternative would require similar mitigation as the Project and, after mitigation, both the Gateway Specific Plan Alternative and the Project would result in less-than-significant impacts to cultural resources.

D **Energy**

Because the Gateway Specific Plan Alternative would result in less building area being developed on the Project Site (an approximate 11 percent reduction), the Gateway Specific Plan Alternative is expected to require less energy to construct than the Project. Because the Gateway Specific Plan Alternative would generate more daily vehicle trips than the Project, this Alternative would result in a greater demand for transportation energy resources than the Project. Notwithstanding, like the Project, the Gateway Specific Plan Alternative would result in a less-than-significant impact to energy resources.

E **Geology & Soils**

This Alternative would disturb the same physical area as the Project and would, therefore, have the same potential for soil erosion during the construction phase as the Project. Soil erosion impacts would be less than significant under both the Project and this Alternative due to mandatory compliance with federal, State, and local water quality standards. The Gateway Specific Plan Alternative would be required to comply with the same mandatory regulatory requirements as the Project to preclude substantial hazards associated with seismic ground shaking. The Gateway Specific Plan Alternative would result in a similar, less-than-significant impact to geology and soils as the Project.

F **Greenhouse Gas Emissions**

Although the Gateway Specific Plan Alternative would develop the Site with approximately 52,000 s.f. less building area than the Project, which would reduce GHG emissions from building operations, this Alternative would result in more GHG emissions than the Project due to higher fuel energy demands related to a substantial increase in daily traffic. Thus, the Gateway Specific Plan Alternative is expected to increase the Project's significant and unavoidable impact related to GHG emissions.

G **Hazards & Hazardous Materials**

Neither implementation of the Gateway Specific Plan Alternative nor the Project would result in a significant impact related to hazards or hazardous materials. The shopping center land uses that would occur on-site under



the Gateway Specific Plan Alternative would have a lesser potential to handle and store hazardous materials than the Project because substantial amounts of hazardous materials generally are not used in commercial retail and services. Like the proposed Project, the Gateway Specific Plan Alternative would safely dispose the potential sources of on-site contamination during construction. With mandatory regulatory compliance, both the Gateway Specific Plan Alternative and the Project would pose a less-than-significant hazard to the public or the environment related to the use, handling, storage, and/or transport of hazardous materials. Impacts from the Gateway Specific Plan Alternative would be similar to the Project.

H Hydrology & Water Quality

Neither the Project nor the Gateway Specific Plan Alternative would result in substantial alterations to the drainage pattern of the Project Site or would result in substantial erosion effects. Accordingly, implementation of the Project and the Gateway Specific Plan Alternative would both result in less-than-significant impacts to existing drainage patterns.

During construction, potential hydrology and water quality effects on the Project Site would be similar under both the Gateway Specific Plan Alternative and the Project due to this Alternative and the Project both disturbing the same physical area. Like the Project, the Gateway Specific Plan Alternative would be required to implement a SWPPP to ensure that stormwater runoff during construction does not contain substantial pollutant concentrations. Both the Project and the Gateway Specific Plan Alternative would result in similar – and less-than-significant – construction impacts to hydrology and water quality.

In the long-term, potential hydrology and water quality effects on the Project Site would be similar under both the Gateway Specific Plan Alternative and the Project. The Gateway Specific Plan Alternative would likely generate a higher volume of pollutants on-site than the Project due to the greater impervious surface coverage and increased number of vehicles on-site over the course of a typical day; however, both the Gateway Specific Plan Alternative and the Project would be required to implement a drainage plan and a WQMP. Similar to the Project, the Gateway Specific Plan Alternative would be required to implement a drainage plan to ensure that stormwater runoff is conveyed to local and regional stormwater drainage facilities with adequate capacity to handle runoff flows from the Project Site. Additionally, similar to the Project, the Gateway Specific Plan Alternative would be required to implement a long-term WQMP to ensure that stormwater runoff leaving the site does not contain substantial pollutant concentrations. The Project and the Gateway Specific Plan Alternative would result similar operational hydrology and water quality impacts. Impacts under the Gateway Specific Plan Alternative and the Project would be less than significant.

I Land Use & Planning

The Gateway Specific Plan Alternative would develop the Project Site in accordance with the City of Rialto General Plan and Gateway Specific Plan. As such, there would be no conflicts with applicable land use plans, policies, or regulations resulting in significant environmental effects. Comparatively, the Project proposes a General Plan Amendment and Specific Plan Amendment to address consistency between the proposed land uses and the General Plan, Specific Plan, and other plans, policies, and regulations that rely on General Plan and Specific Plan buildout projections. The Gateway Specific Plan Alternative would result in no impact to land use and planning, although the Project would also not result in any significant impacts in this regard, as it includes the approval of the foregoing General Plan and Specific Plan Amendments.



J **Noise**

Noise associated with this Alternative would occur during short-term construction activities and under long-term operation. Under the construction scenario, the Gateway Specific Plan Alternative is expected to result in similar short-term noise levels as the Project due to the similarities between the construction activities and construction equipment being used. Under operational conditions, the Gateway Specific Plan Alternative is expected to slightly reduce operational noise on-site as a shopping center is generally less noisy than a warehouse building due to the reduction of loading dock areas, but would increase off-site noise along City streets due to the substantial increase in vehicle traffic. Accordingly, the Gateway Specific Plan Alternative would result in a generally similar long-term noise impact in comparison to the Project. Under both the Project and the Gateway Specific Plan Alternative, long-term noise impacts would be less than significant.

K **Transportation**

Under the Gateway Specific Plan Alternative, the Project Site would be developed with more intensive land uses than the proposed Project. Although this Alternative would reduce heavy truck traffic, which generally have longer trip lengths than passenger vehicles, the substantial increase in daily passenger vehicle traffic is expected to result in an overall increase in VMT. Under the Gateway Specific Plan Alternative, transportation impacts would be increased in comparison to the Project and would be significant and unavoidable.

L **Tribal Cultural Resources**

The Gateway Specific Plan Alternative would redevelop the entire Project Site and would have an identical development footprint as the Project and would require a similar depth of grading/earthwork as the Project. Thus, the Gateway Specific Plan Alternative would result in identical impacts to tribal cultural resources as the Project. The Gateway Specific Plan Alternative would require similar mitigation as the Project and, after mitigation, both the Gateway Specific Plan Alternative and the Project would result in less-than-significant impacts to tribal cultural resources.

M **Utilities & Service Systems**

Because commercial land uses require a greater water demand than industrial uses, the Gateway Specific Plan Alternative is expected to have a greater demand for utilities and services systems, including water, sewer, storm water drainage service/facilities, and solid waste collection and disposal as compared to the Project. However, the Gateway Specific Plan Alternative is expected to have an overall less-than-significant impact to utilities and services systems because this Alternative would be consistent with existing land use plan that was used as the basis for the utilities master plans for the Project area and well as the service demand projections by local utility service providers.

N **Conclusion**

The Gateway Specific Plan Alternative would not reduce, but would likely increase, the Project's significant and unavoidable impacts to air quality, GHG emissions, and transportation. The Gateway Specific Plan Alternative would increase the Project's less than significant impacts to energy, off-site traffic noise, and utilities and service systems, although in all instances impacts are expected to remain less than significant. The Gateway Specific Plan Alternative would result in similar impacts as the Project to aesthetics, cultural



resources, hazards and hazardous materials, and tribal cultural resources. The Gateway Specific Plan Alternative would reduce the Project’s less-than-significant impacts to land use and planning.

The Gateway Specific Plan Alternative would potentially meet Objectives “A,” “C,” “D,” and “F” but would be less effective at achieving these objectives than the Project. The smaller warehouse building proposed by this Alternative would be marketable to a smaller subset of users than the larger warehouse building proposed by the Project. Therefore, this building would be less effective at meeting the market demand for goods movement in the Inland Empire compared to the larger warehouse proposed by the Project. By re-developing the Project Site with employment generating land uses the Gateway Specific Plan Alternative would meet Objectives “B,” “E” and “G” (refer to Table 6-1).

6.3.3 REDUCED BUILDING AREA ALTERNATIVE

The Reduced Building Area Alternative considers a proposal where the Project Site would be redeveloped with two separate uses: a warehouse distribution building and an outdoor industrial storage area. Under this Alternative, approximately 14 acres on the southern portion of the Project Site, with frontages along Valley Boulevard and Willow Avenue, would be developed with an approximately 325,000 s.f., 49-foot-tall warehouse distribution building (including related site improvements such as truck loading/unloading areas and parking, passenger vehicle parking, landscaping, signage, and public utility connections). This Alternative also provides for approximately seven (7) acres on the northern portion of the Site, with a frontage along Willow Avenue, to be used as a paved outdoor storage area with landscaping and screen walls abutting Willow Avenue to hide the storage area from public view. The outdoor storage area would be used for heavy truck (tractor) and/or truck trailer parking. The total FAR for this Alternative would be 0.37. This Alternative was selected by the Lead Agency to evaluate a scenario that would reduce the total building area on the Project Site relative to the Project but still allow productive industrial use of the entire Site.

A Aesthetics

Under the Reduced Building Area Alternative, the southern portion of the Project Site would look similar to the Project, with a 49-foot-tall warehouse building but at a reduced scale due to the smaller building area while the northern portion of the Site would be used for outdoor industrial storage. The outdoor industrial storage area would feature approximately 12-14-foot-tall solid screen walls and dense landscaping abutting Willow Avenue. Although the tall screen wall for the outdoor storage area would contrast with the existing visual environment along Willow Avenue to a greater degree than the Project, this Alternative would not be visually offensive because landscaping (i.e., trees, shrubs, vines) would be planted in front of the screen wall to improve its appearance and reduce its perceived size. Overall, the Reduced Building Area Alternative’s effect on aesthetics would be comparable the Project and would remain less than significant.

B Air Quality

Under this Alternative, the overall duration of construction would be similar to the Project. As such, the total amount of air pollutant emissions generated during the construction phase would be similar under this Alternative as compared to the Project. The peak daily intensity of construction activities at the Project Site would be similar under both this Alternative and the Project because both would: 1) disturb the same physical area; 2) utilize the same types of construction equipment; and 3) require the same types of construction



activities. Therefore, the total daily emissions during the construction phase would be less than significant and similar to the Project.

Because the Reduced Building Area Alternative would result in approximately 34 percent (167,000 s.f.) less building floor area than the Project, this Alternative is expected to require less energy to operate than the Project and, therefore, would result in a reduction of non-mobile source air quality emissions as compared to the Project. The Reduced Building Area Alternative would generate a similar amount of mobile source air pollutant emissions as the Project from heavy truck traffic due to comparable total daily traffic, but it would reduce mobile source air quality emissions from passenger vehicles due to a reduction in employees on-site. In total, the Reduced Building Area Alternative would slightly reduce the Project's operational regional air quality emissions; however, impacts would still be significant and unavoidable (as is the case with the Project).

Because heavy truck trip traffic would be similar between the Reduced Building Area Alternative and the Project, the Reduced Building Area Alternative would result in similar – and less than significant – carcinogenic and non-carcinogenic health risk hazards as the Project (due to a similar amount of diesel particulate matter emissions).

Like the Project, the Reduced Building Area Alternative would generate odors during short-term construction activities (e.g., diesel equipment exhaust, architectural coatings, asphalt) and long-term operation (e.g., diesel exhaust). However, and similar to the Project, these odors would occur intermittently, be of short-term duration, and would not be substantial. Long-term operation of this Alternative would not create objectionable odors affecting a substantial number of people and impacts would be less than significant with compliance with mandatory regulatory requirements.

C **Cultural Resources**

The Reduced Building Area Alternative would redevelop the entire Project Site and have an identical development footprint as the Project. In addition, the Reduced Building Area Alternative would require a similar depth of grading/earthwork as the Project. Thus, this Alternative would result in identical impacts to cultural resources as the Project. The Reduced Building Area Alternative would require similar mitigation as the Project and, after mitigation, both the Reduced Building Area Alternative and the Project would result in less-than-significant impacts to cultural resources.

D **Energy**

Because the Reduced Building Area Alternative would result in less building floor area than the Project (an approximate 34 percent reduction), the Reduced Building Area Alternative is expected to require less energy to construct and operate than the Project. Additionally, the Reduced Building Area Alternative would generate fewer daily passenger vehicle trips than the Project due to a reduction in employees on-site and, therefore, would reduce transportation energy demands. The Reduced Building Area Alternative would result in a less-than-significant impact, which is the same conclusion drawn for the Project.

E **Geology & Soils**

This Alternative would disturb the same physical area as the Project and would, therefore, have the same potential for soil erosion during the construction phase as the Project. Soil erosion impacts would be less than



significant under both the Project and this Alternative due to mandatory compliance with federal, State, and local water quality standards. The Reduced Building Area Alternative would be required to comply with the same mandatory regulatory requirements as the Project to preclude substantial hazards associated with seismic ground shaking and geologic hazards. The Reduced Building Area Alternative would result in a similar, less-than-significant impact to geology and soils as the Project.

F Greenhouse Gas Emissions

Because the Reduced Building Area Alternative would result in the development of approximately 167,000 s.f. less building floor area than the Project, the Reduced Building Area Alternative is expected to require less energy to construct and operate than the Project and, therefore, would result in a reduction of non-mobile source GHG emissions as compared to the Project. Additionally, the Reduced Building Area Alternative would result in an incremental reduction in mobile source GHG emissions due to a reduction in daily passenger vehicle traffic. In total, the Reduced Building Area Alternative would slightly reduce the Project's GHG emissions; however, similar to the Project, impacts would still be significant and unavoidable.

G Hazards & Hazardous Materials

Neither implementation of the Reduced Building Area Alternative nor the Project would result in a significant impact related to hazards or hazardous materials. Land uses that would occur on-site under the Reduced Building Area Alternative would have a similar potential to handle and store hazardous materials than the Project. Like the proposed Project, the Reduced Building Area Alternative would safely dispose the potential sources of on-site contamination during construction. With mandatory regulatory compliance, both the Reduced Building Area Alternative and the Project would pose a less-than-significant hazard to the public or the environment related to the use, handling, storage, and/or transport of hazardous materials.

H Hydrology & Water Quality

Neither the Project nor the Reduced Building Area Alternative would result in substantial alterations to the drainage pattern of the Site or would result in substantial erosion effects. Accordingly, implementation of the Project and the Reduced Building Area Alternative would both result in less-than-significant impacts to existing drainage patterns.

During construction, potential hydrology and water quality effects on the Project Site would be similar under both the Reduced Building Area Alternative and the Project due to this Alternative and the Project both disturbing the same physical area. Like the Project, the Reduced Building Area Alternative would be required to implement a SWPPP to ensure that stormwater runoff during construction does not contain substantial pollutant concentrations. Both the Project and the Reduced Building Area Alternative would result in less-than-significant construction impacts to hydrology and water quality.

In the long-term, potential hydrology and water quality effects on the Project Site would be similar under both the Reduced Building Area Alternative and the Project due to both providing a similar amount of non-pervious surfaces. Like the Project, the Reduced Building Area Alternative would be required to implement a drainage plan to ensure that stormwater runoff is conveyed to local and regional stormwater drainage facilities with adequate capacity to handle runoff flows from the Project Site. Additionally, like the Project, the Reduced Building Area Alternative would be required to implement a long-term WQMP to ensure that stormwater



runoff leaving the Project Site does not contain substantial pollutant concentrations. Both the Project and the Reduced Building Area Alternative would result in less-than-significant operational impacts to hydrology and water quality.

I Land Use & Planning

Both this Alternative and the Project would require the same General Plan Amendment and a Specific Plan Amendment to develop the entire Project Site with industrial land uses. The Reduced Building Area Alternative would result in identical – and less than significant – land use and planning impacts when compared to the Project.

J Noise

Noise associated with this Alternative would occur during short-term construction activities and under long-term operation. The types of daily construction activities conducted on the Project Site would be similar under both the Reduced Building Area Alternative and the Project thus both would result in similar, and less than significant, peak construction noise levels. Notwithstanding, it is anticipated that the total duration of noise impacts during the building construction phase would be slightly decreased under this Alternative as compared to the Project because this Alternative would require the construction of approximately 167,000 s.f. less building area. Under long-term operational conditions, noise impacts from operations on the Project Site (i.e., stationary noise) would be similar (and less than significant) relative to the Project due to relatively similar operational practices (i.e., cargo loading/unloading activities) and similar daily heavy truck traffic volumes.

K Transportation

The Reduced Building Area Alternative is anticipated to result in a similar amount of home-based work and total VMT as the Project, which are both evaluated on the basis of miles traveled per service population. Although total aggregate VMT would fall due to the smaller project size (and thus a reduced number of daily heavy truck trips) and a smaller number of employees (i.e., service population) on-site, both the Project and the Reduced Building Area Alternative would result in a significant and unavoidable impact from total VMT.

L Tribal Cultural Resources

The Reduced Building Area Alternative would redevelop the entire Project Site and have an identical development footprint as the Project. In addition, the Reduced Building Area Alternative would require a similar depth of grading/earthwork as the Project. Thus, this Alternative would result in identical impacts to tribal cultural resources as the Project. The Reduced Building Area Alternative would require similar mitigation as the Project and, after mitigation, both the Reduced Building Area Alternative and the Project would result in less-than-significant impacts to tribal cultural resources.

M Utilities & Service Systems

Due to a reduced building area, the Reduced Building Area Alternative is expected to have a reduced demand for utilities and services systems, including water, sewer, storm water drainage service/facilities, and solid waste collection and disposal, as compared to the Project. However, as with the Project, the Reduced Building Area Alternative is expected to result in a less-than-significant impact to utilities and services systems.



N **Conclusion**

The Reduced Building Area Alternative would incrementally reduce – but not avoid – the Project’s significant and unavoidable air quality and GHG emission impacts. The Reduced Building Alternative would reduce the Project’s less-than-significant impacts to energy and utilities and service systems. As described above, all other impacts from the Reduced Building Alternative would be similar to the Project.

The Reduced Building Area Alternative would meet all Project Objectives but would be less effective than the Project at meeting Objectives “A,” “B,” “C,” “D,” “F,” and “G” due to this Alternative’s substantial reduction in the development of an in-demand, employment generating land use on the Project Site (refer to Table 6-1).

6.3.4 FLEX BUILDING ALTERNATIVE

The Flex Building Alternative considers a proposal where the Project Site would be redeveloped with multiple flexible (“flex”) industrial buildings ranging from 10,000 s.f. to 35,000 s.f., with heights up to 35 feet. Approximately 320,000 s.f. of total building area would be provided on the Project Site under the Flex Building Alternative. The total FAR under this Alternative would be approximately 0.37. Flex buildings allow a wide range of industrial uses, such as small-scale workshops and light manufacturing, that also feature office and warehouse components. Under this Alternative, access would be provided to the Site from Valley Boulevard and Willow Avenue. This Alternative would provide similar site improvements as the Project, including landscaping, passenger vehicle parking, signage and public utility connections. Under the Flex Building Alternative, each building would contain several ground-level, roll-up doors that can only be served by smaller trucks (and not by the 4+ axle trucks that could serve the Project). This Alternative was used to evaluate a scenario that would develop the Project Site with industrial land uses that are less reliant on heavy truck activity.

A **Aesthetics**

Under the Flex Building Alternative, multiple smaller and shorter buildings would be provided on the Project Site in lieu of one larger building under the Project. The visual characteristics of the buildings under the Flex Building Alternative (e.g., architectural style, building colors and finish materials, landscaping) would be similar to the Project but the buildings would have a smaller scale (maximum height of 35 feet) and mass (maximum FAR of 0.37). The Flex Building Alternative is not expected to be visually incompatible with surrounding existing and planned land uses and would not result in a significant adverse effect related to visual character or quality. Overall, the Flex Building Alternative’s effect on aesthetics would be less than significant and similar to the Project.

B **Air Quality**

Under this Alternative, the overall duration of construction would be increased as compared to the Project, due to the need to pour multiple foundations and more wall panels than the Project. As such, the total amount of air pollutant emissions generated during the construction phase would be greater under this Alternative as compared to the Project. Further, the peak daily intensity of construction activities at the Project Site would be similar under both this Alternative and the Project because both would: 1) disturb the same physical area; 2) utilize the same types of construction equipment; and 3) require the same types of construction activities.



Therefore, the total daily emissions during the construction phase would be less than significant and similar to the Project.

The Flex Building Alternative would generate more traffic than the Project; approximately 2,200 daily traffic trips under this Alternative vs. approximately 1,750 daily traffic trips under the Project, relying on trip generation rates from the ITE Trip Generation Manual. Although the Flex Building Alternative would reduce the number of heavy trucks traveling to and from the Project Site, resulting in a reduction in heavy truck tailpipe emissions, including diesel particulate matter emissions, the substantial increase in passenger vehicle traffic under this Alternative is expected to offset any air quality benefits realized from reducing heavy truck trips. Accordingly, the Flex Building Alternative is expected to result in similar impacts to air quality as the proposed Project. Under both the Project and this Alternative, operational air quality impacts would be significant and unavoidable.

Like the Project, the Flex Building Alternative would generate odors during short-term construction activities (e.g., diesel equipment exhaust, architectural coatings, asphalt) and long-term operation (e.g., diesel exhaust). However, and similar to the Project, these odors would occur intermittently, be of short-term duration, and would not be substantial. Long-term operation of this Alternative would not create objectionable odors affecting a substantial number of people and impacts would be less than significant with compliance with mandatory regulatory requirements.

C **Cultural Resources**

The Flex Building Alternative would redevelop the entire Project Site and have an identical development footprint as the Project. In addition, the Flex Building Alternative would require a similar depth of grading/earthwork as the Project. Thus, this Alternative would result in identical impacts to cultural resources as the Project. The Flex Building Alternative would require similar mitigation as the Project and, after mitigation, both the Flex Building Alternative and the Project would result in less-than-significant impacts to cultural resources.

D **Energy**

Because the Flex Building Alternative would result in less building floor area than the Project (an approximate 35 percent reduction), the Flex Building Alternative is expected to require less energy to construct and operate than the Project. The Flex Building Alternative would generate more daily passenger vehicle trips than the Project and would increase transportation energy demands. The Flex Building Alternative would result in a less-than-significant impact, which is the same conclusion drawn for the Project.

E **Geology & Soils**

This Alternative would disturb the same physical area as the Project and would, therefore, have the same potential for soil erosion during the construction phase as the Project. Soil erosion impacts would be less than significant under both the Project and this Alternative due to mandatory compliance with federal, State, and local water quality standards. The Flex Building Alternative would be required to comply with the same mandatory regulatory requirements as the Project to preclude substantial hazards associated with seismic ground shaking. The Flex Building Alternative would result in a similar, less-than-significant impact to geology and soils as the Project.



F Greenhouse Gas Emissions

The Flex Building Alternative would reduce the Project’s GHG emissions from building energy demands due to a smaller building area, but would increase GHG emissions from mobile source emissions due to an increase in daily traffic. Overall, the Flex Building Alternative is expected to result in similar GHG emissions impacts as the Project. Under both the Flex Building Alternative and the Project, GHG emissions would be significant and unavoidable.

G Hazards & Hazardous Materials

Neither implementation of the Flex Building Alternative nor the Project would result in a significant impact related to hazards or hazardous materials. Land uses that would occur on-site under the Flex Building Alternative would have a similar potential to handle and store hazardous materials than the Project. Like the proposed Project, the Reduced Building Area Alternative would safely dispose the potential sources of on-site contamination during construction. With mandatory regulatory compliance, both the Flex Building Alternative and the Project would pose a less-than-significant hazard to the public or the environment related to the use, handling, storage, and/or transport of hazardous materials. Impacts from the Flex Building Alternative would be similar to the Project.

H Hydrology & Water Quality

Neither the Project nor the Flex Building Alternative would result in substantial alterations to the drainage pattern of the Site or would result in substantial erosion effects. Accordingly, implementation of the Project and the Flex Building Alternative would both result in less-than-significant impacts to existing drainage patterns.

During construction, potential hydrology and water quality effects on the Project Site would be similar under both the Flex Building Alternative and the Project due to this Alternative and the Project both disturbing the same physical area. Like the Project, the Flex Building Alternative would be required to implement a SWPPP to ensure that stormwater runoff during construction does not contain substantial pollutant concentrations. Both the Project and the Flex Building Alternative would result in less-than-significant construction impacts to hydrology and water quality.

In the long-term, potential hydrology and water quality effects on the Project Site would be similar under both the Flex Building Alternative and the Project due to this Alternative and the Project both providing a similar amount of non-pervious surfaces. Like the Project, the Flex Building Alternative would be required to implement a drainage plan to ensure that stormwater runoff is conveyed to local and regional stormwater drainage facilities with adequate capacity to handle runoff flows from the Project Site. Additionally, like the Project, the Flex Building Alternative would be required to implement a long-term WQMP to ensure that stormwater runoff leaving the Project Site does not contain substantial pollutant concentrations. Both the Project and the Flex Building Alternative would result in less-than-significant operational impacts to hydrology and water quality.



I **Land Use & Planning**

Both this Alternative and the Project would require the same General Plan Amendment and a Specific Plan Amendment to develop the entire Project Site with industrial land uses. The Flex Building Alternative would result in identical – and less than significant – land use and planning impacts when compared to the Project.

J **Noise**

Noise associated with this Alternative would occur during short-term construction activities and under long-term operation. Under construction scenario, the Flex Building Alternative is expected to result in similar peak short-term noise levels due to the similarities between the construction activities and construction equipment used by the Project and this Alternative. Under operational conditions, the Flex Building Alternative is expected to slightly reduce operational noise on-site due to the reduction of loading dock areas, but would increase off-site noise along City streets due to the substantial increase in vehicle traffic. Under both the Project and the Flex Building Alternative, long-term noise impacts would be less than significant.

K **Transportation**

Although this Alternative would reduce heavy truck traffic (which generally have longer trip lengths than passenger vehicles), the substantial increase in daily passenger vehicle traffic is expected to result in similar VMT as the proposed Project– or a slight increase. Under both the Project and the Flex Building Alternative, transportation impacts would be significant and unavoidable.

L **Tribal Cultural Resources**

Flex Building Alternative would redevelop the entire Project Site and would have an identical development footprint as the Project and would require a similar depth of grading/earthwork as the Project. Thus, the Flex Building Alternative would result in identical impacts to tribal cultural resources as the Project. The Flex Building Alternative would require similar mitigation as the Project and, after mitigation, both the Flex Building Alternative and the Project would result in less-than-significant impacts to tribal cultural resources.

M **Utilities & Service Systems**

Because flex industrial spaces generate more employees than warehouse facilities, the Flex Building Alternative is expected to have a greater demand for utilities and services systems, including water, sewer, storm water drainage service/facilities, and solid waste collection and disposal as compared to the Project. However, because the Flex Building Alternative would develop the site with employment-generating land uses as planned by the City and anticipated by local service providers, the Flex Building Alternative is expected to result in a less-than-significant impact to utilities and services systems.

N **Conclusion**

The Flex Building Alternative would increase the Project’s utilities and service systems impact (although this impact would remain less than significant), and air quality impacts. As described above, all other impacts would be similar to the Project.



The Flex Building Alternative would not meet Project Objectives “C,” “D,” or “F” because it does not include a warehouse use and, thus, would not provide a use that contributes to the southern California goods movement system. The Flex Building Alternative would meet all of the Project’s other objectives (refer to Table 6-1).

6.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives shall identify an environmentally superior alternative among the alternatives evaluated in the EIR. In general, the environmentally superior alternative as defined by CEQA should minimize adverse impacts to the Project Site and its surrounding environment.

As shown in Table 6-1, both the No Development Alternative would avoid or reduce all of the Project’s significant environmental impacts and, therefore, can be considered environmentally superior to the Project. The No Development Alternative is considered to be a “no project” alternative as defined by CEQA Guidelines Section 15126.6(e)(3). If a “no project” alternative is identified as the environmentally superior alternative then the EIR shall also identify an environmentally superior alternative among the other alternatives (see CEQA Guidelines Section 15126.6(e)(2)). Thus, the Reduced Building Area Alternative, as described in Subsection 6.3.3, is identified as the environmentally superior alternative, because the Reduced Building Area Alternative would result in the greatest reduction of environmental impacts among the remaining alternatives as summarized in Table 6-1.



Table 6-1 Alternatives to the Project – Comparison of Environmental Impacts

ENVIRONMENTAL TOPIC	PROJECT SIGNIFICANCE OF IMPACTS AFTER MITIGATION	NO DEVELOPMENT ALTERNATIVE	GATEWAY SPECIFIC PLAN ALTERNATIVE	REDUCED BUILDING AREA ALTERNATIVE	FLEX BUILDING ALTERNATIVE
Aesthetics	Less-than-Significant Impact	Similar	Similar	Similar	Similar
Air Quality	Less-than-Significant Impact (Construction)	Reduced	Similar	Similar	Similar
	Significant and Unavoidable (Operations)	Reduced	Increased	Reduced	Similar
Cultural Resources	Less-than-Significant Impact	Reduced	Similar	Similar	Similar
Energy	Less-than-Significant Impact	Reduced	Increased	Reduced	Similar
Geology & Soils	Less-than-Significant Impact	Reduced	Similar	Similar	Similar
Greenhouse Gas Emissions	Significant and Unavoidable	Reduced	Increased	Reduced	Similar
Hazards & Hazardous Materials	Less-than-Significant Impact	Increased	Similar	Similar	Similar
Hydrology & Water Quality	Less-than-Significant Impact (Construction)	Increased	Similar	Similar	Similar
	Significant and Unavoidable (Operations)	Increased	Similar	Similar	Similar
Land Use & Planning	Less-than-Significant Impact	Reduced	Reduced	Similar	Similar
Noise	Less-than-Significant Impact (Construction)	Reduced	Similar	Similar	Similar
	Less-than-Significant Impact (Operations)	Reduced	Similar	Similar	Similar
Transportation	Significant and Unavoidable	Reduced	Increased	Similar	Similar
Tribal Cultural Resources	Less-than-Significant Impact	Reduced	Similar	Similar	Similar
Utilities & Service Systems	Less-than-Significant Impact	Reduced	Increased	Reduced	Increased
ABILITY TO MEET PROJECT OBJECTIVES					
Objective A: To expand economic development, facilitate job creation, and increase the tax base for the City of Rialto by establishing new industrial development adjacent to established and planned industrial areas.		No	Yes, but less effectively than the Project	Yes, but less effectively than the Project	Yes



Table 6-1 Alternatives to the Project – Comparison of Environmental Impacts

ENVIRONMENTAL TOPIC	PROJECT SIGNIFICANCE OF IMPACTS AFTER MITIGATION	NO DEVELOPMENT ALTERNATIVE	GATEWAY SPECIFIC PLAN ALTERNATIVE	REDUCED BUILDING AREA ALTERNATIVE	FLEX BUILDING ALTERNATIVE
ABILITY TO MEET PROJECT OBJECTIVES					
Objective B: To attract employment-generating businesses to the City of Rialto to reduce the need for members of the local workforce to commute outside the area for employment, thereby improving the job-housing balance in the City.		No	Yes	Yes, but less effectively than the Project	Yes
Objective C: To develop a Class A speculative warehouse distribution building that is designed to meet contemporary industry standards and be economically competitive with similar industrial buildings in the local area and region.		No	Yes, but less effectively than the Project	Yes, but less effectively than the Project	No
Objective D: To attract businesses that can expedite the delivery of essential goods to consumers and businesses in the City of Rialto and beyond.		No	Yes, but less effectively than the Project	Yes, but less effectively than the Project	No
Objective E: To develop a project that has architectural design and operational characteristics that complement other existing and planned buildings in the immediate vicinity and minimize conflicts with other nearby land uses.		No	Yes	Yes	Yes
Objective F: To develop a warehouse distribution building in close proximity to designated truck routes and the State highway system to avoid or shorten truck-trip lengths on other roadways.		No	Yes, but less effectively than the Project	Yes, but less effectively than the Project	No
Objective G: To redevelop an underutilized property that has access to available infrastructure, including roads and utilities.		No	Yes	Yes, but less effectively than the Project	Yes



7.0 REFERENCES

7.1 PERSONS INVOLVED IN THE PREPARATION OF THIS EIR

7.1.1 CITY OF RIALTO COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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B.A. Urban Studies and Planning

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B.S. Environmental Systems

7.2 DOCUMENTS INCORPORATED BY REFERENCE IN THIS EIR

The following reports, studies, and supporting documentation were used in the preparation of this EIR and are incorporated by reference within this EIR. A copy of the following reports, studies, and supporting documentation is a matter of public record and is generally available to the public at the location listed.

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7.4 DOCUMENTS APPENDED TO THIS EIR

The following reports, studies, and supporting documentation were used in preparing the Birtcher Logistics Center Rialto EIR and are bound separately as Technical Appendices. A copy of the Technical Appendices is available for review at the City of Rialto Community Development Department, Planning Division at 150 S. Palm Avenue, Rialto, CA 92376.

- Appendix A: Initial Study for Birtcher Logistics Center Rialto, Notice of Preparation, and Written Comments
- Appendix B1: Urban Crossroads, 2022. *Birtcher Logistics Center Rialto (MC2020-0031) Air Quality Impact Analysis*. January 26, 2022.
- Appendix B2: Urban Crossroads, 2021. *Birtcher Logistics Center Rialto (MC2020-0031) Mobile Source Health Risk Assessment*. July 13, 2021.
- Appendix C: Brian F. Smith and Associates, 2021. *Cultural Resources Records Search Results for the Valley Boulevard Industrial Project*. January 6, 2021.
- Appendix D: Urban Crossroads, 2022. *Birtcher Logistics Center Rialto (MC2020-0031) Energy Analysis*. January 26, 2022.
- Appendix E: Southern California Geotechnical, 2021. *Geotechnical Investigation Proposed Warehouse NWC Valley Boulevard and South Willow Avenue Rialto, California*. August 18, 2021.
- Appendix F: Urban Crossroads, 2022. *Birtcher Logistics Center Rialto (MC2020-0031) Greenhouse Gas Analysis*. January 26, 2022.
- Appendix G1: Avocet Environmental, 2019. *Phase I Environmental Site Assessment NWC W. Valley Boulevard & S. Willow Avenue Rialto, California 92376*. December 13, 2019.
- Appendix G2: Waterstone Environmental, 2020. *Phase I Environmental Assessment Report Subject Property Located at 1434 South Willow Avenue Rialto, California 92316*. September 17, 2020.
- Appendix G3: Waterstone Environmental, 2020. *Results of Phase II Investigation Activities at 350 W. Valley Boulevard and 1444 S. Willow Avenue in Rialto, California*. July 28, 2020.



- Appendix G4 Omega Environmental, 2020. *Pre-Demolition Asbestos and Lead Assessment Report 350 W. Valley Boulevard and 1434 S. Willow Avenue in Rialto, California.* October 18, 2021.
- Appendix H1 Thienes Engineering, 2021. *Preliminary Hydrology Calculations for Valley Boulevard Industrial Building Blvd. Between Willow Avenue and Lilac Avenue Rialto, California.* July 6, 2021.
- Appendix H2 Thienes Engineering, 2021. *Water Quality Management Plan for: Valley Boulevard Industrial Building W. Valley Blvd. and S. Willow Avenue Rialto, CA 92316.* July 6, 2021.
- Appendix I Urban Crossroads, 2021. *Birtcher Logistics Center Rialto (MCN2020-0031) Noise Impact Analysis.* October 21, 2021.
- Appendix J Urban Crossroads, 2021. *Birtcher Logistics Center Rialto (MCN2020-0031) Traffic Analysis.* December 20, 2021.
- Appendix K Urban Crossroads, 2021. *Valley Boulevard and Willow Avenue Vehicle Miles Traveled (VMT) Analysis.* December 14, 2021.
- Appendix L Development Planning & Financing Group, 2021. *Birtcher – Executive Summary of Economic Analysis.* March 2021.
- Appendix M Thienes Engineering, 2021, *Northwesterly corner of W. Valley Blvd. and S. Willow Ave. (Fire Flow)* September 7, 2021.
- Appendix N Thienes Engineering, 2021, *Northwesterly corner of W. Valley Blvd. and S. Willow Ave. (Sewer Capacity)* August 27, 2021.