

Speedway Commerce Center II Specific Plan Project

Draft Environmental Impact Report

State Clearinghouse No. 2021120259

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1.0

EXECUTIVE SUMMARY

1.0 EXECUTIVE SUMMARY

1.1 Introduction

The environmental impact report (EIR) process, as defined by the California Environmental Quality Act (CEQA), requires the preparation of an objective, full-disclosure document in order to (1) inform agency decision-makers and the general public of the direct and indirect potentially significant environmental effects of a proposed action; (2) identify feasible or potentially feasible mitigation measures to reduce or eliminate potentially significant adverse impacts; and (3) identify and evaluate reasonable alternatives to a project. In accordance with State CEQA Guidelines § 15168 (Title 14 of the California Code of Regulations [CCR]), this Draft EIR (State Clearinghouse No. 2021120259) that has been prepared for the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project) and has been prepared by the County of San Bernardino (County).

CEQA requires that projects subject to approval by a public agency of the State of California, and that are not otherwise exempt or excluded, undergo an environmental review process to identify and evaluate potential impacts. CEQA Guidelines § 15050 states that environmental review shall be conducted by the Lead Agency, defined in CEQA Guidelines § 15367 as the public agency with principal responsibility for approving a project. The Project is subject to approval actions by the County, which is, therefore the Lead Agency for CEQA purposes. In accordance with CEQA Guidelines § 15123, this section of the Draft EIR provides a brief description of the Project; identifies significant effects and proposed mitigation measures or alternatives that would reduce or avoid those effects; and describes areas of controversy and issues to be resolved.

This Draft EIR serves as a “Project EIR” as defined in § 15161 of the CEQA Guidelines related to the construction and operation of the Project site. The Draft EIR considers the environmental impacts of the Project, as well as the additive effects of growth throughout the County, neighboring areas of the cities of Fontana and Rancho Cucamonga, and the region. These latter impacts are referred to as cumulative impacts. The Draft EIR also evaluates a range of potential feasible alternatives anticipated to reduce significant impacts of the Project, including a Reduced Footprint Intensity Alternative, Commercial Project Alternative, Manufacturing Project Alternative, No Project Alternative, and an alternative site. This Draft EIR has been prepared for the County, pursuant to the requirements of CEQA.

Pursuant to CEQA Guidelines § 15082, the County circulated a Notice of Preparation (NOP) advising public agencies, special districts, and members of the public who had requested such notice that an EIR for the Project was being prepared. The NOP was distributed on December 13, 2021 to solicit comments related to the proposed construction of the Project. The NOP was circulated with a 30-day public review period ending on January 13, 2022. This process and the comments submitted in response to the NOP is discussed in **Section 2.0: Introduction**, and **Section 1.6: Areas of Controversy**, below.

After receiving public comments on the NOP, the Project was analyzed for its potential to result in environmental impacts. Impacts were evaluated in accordance with the significance criteria presented in

Appendix G, “Environmental Checklist Form,” of the CEQA Guidelines. The criteria in the Environmental Checklist Form (checklist), was used to determine if the Project would result in, “no impact,” “less than significant impact,” “less than significant impact with mitigation measures,” or “potentially significant impact” to a particular environmental resource. In some instances, a project may use the checklist to provide an initial discussion of a project and to screen out certain topics from a full discussion in the Draft EIR. This Draft EIR discusses all environmental resources in CEQA Guidelines, Appendix G. A table listing the significant Project impacts and any associated mitigation measures is included at the end of this summary in **Table 1-1: Summary of Significant Impacts and Proposed Mitigation Measures**.

This Draft EIR describes the existing environmental resources on the Project site and in the vicinity of the site, analyzes potential impacts on those resources that would or could occur upon initiation of the Project, and identifies mitigation measures that could avoid or reduce the magnitude of those impacts determined to be significant. The environmental impacts evaluated in this Draft EIR concern several subject areas, including air quality, biological resources, cultural resources, energy/energy conservation, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, tribal cultural resources, and utilities and service systems. As noted in the preceding paragraph, public comment was received during the NOP process and included written letters provided to the County. In addition to the list of the summary of comments below, a copy of the letters with the NOP is provided in **Appendix A** to this Draft EIR. The comments were used, as intended, to help inform the discussion of this Draft EIR and help determine the scope and framework of certain topical discussions.

The Draft EIR will be subject to further review and comment by the public, as well as responsible agencies and other interested jurisdictions, agencies, and organizations for a period of 45 days.

Following the public review period, written responses to all comments received on the Draft EIR will be prepared. Those written responses, and any other necessary changes to the Draft EIR, will constitute the Final EIR and will be submitted to the County Board of Supervisors for their consideration. If the County finds that the Final EIR is “adequate and complete” in accordance with the CEQA Guidelines, the County may certify the EIR. The County Board of Supervisors would also consider the adoption of Findings of Fact pertaining to the EIR, specific mitigation measures, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Plan (MMRP). Upon review and consideration of the Final EIR, the hearing body would take action concerning the Project.

Regarding the MMRP, CEQA Guidelines § 15097 requires public agencies to set up monitoring and reporting programs to ensure compliance with mitigation measures, which are adopted or made as a condition of project approval and designed to mitigate or avoid the significant environmental effects identified in environmental impact reports. A MMRP incorporating the mitigation measures set forth in this EIR will be considered and acted upon by the County decision-makers concurrent with adoption of the findings of this EIR and prior to approval of the Project.

1.2 Project Overview

Project Location

The Project is located in an unincorporated portion of Southwestern San Bernardino County (County) within the City of Fontana Sphere of Influence (SOI). The Project site is approximately 433 acres and is located north of the San Bernardino Freeway (I-10) and San Bernardino Avenue and is bounded by Cherry Avenue to the east, an active freight and passenger rail line to the north, the West Valley Materials Recycling Facility to the west, and California Steel Industries to the south. The location of the Project in both regional and local contexts are further identified in **Section 3.0: Project Description** and in **Figure 3-1: Regional Location Map** and **Figure 3-2: Project Location Map**.

Project Description

The Project proposes the development of a mixed-use development that would consist of a mix of the following land uses:

- Approximately 433 acres of the existing approximately 522-acre Auto Club Speedway (ACS) located in San Bernardino County.
- Up to approximately 6.6 million square feet of high-cube logistics and e-commerce development spread across four planning areas.
- Approximately 261,360 square feet of ancillary commercial development at one of three alternative planning areas.
- Approximately 98 acres of vehicle parking/drop lot areas to accommodate ongoing Next Gen motorsport facility events on designated days as well as parking for permitted land uses.
- Development of greenbelts, public roads, and other support amenity features, and water detention areas.
- A multi-use trail along Street "A," employee break areas, enhanced landscaping, and potential pedestrian connections throughout the Project site.

The Project includes various discretionary approvals including applications for a Specific Plan (PROJ- 2021- 00150), Development Agreement, A Revision to Approved Action (to modify the Plan Development for the ACS, PRAA-2020-00150), and Tentative Map (No. 20478). These actions are described in greater detail in EIR **Section 3.0: Project Description**, and the Speedway Commerce Center II Specific Plan. Project background and objectives are also discussed in **Section 3.0**.

1.3 Project Objectives

The Project would implement the goals and policies of the County's General Plan; serve as an extension of the General Plan; and, can be used as both a policy and a regulatory document. The purpose of this Project is to implement the vision laid out in the Project objectives by providing development standards and design guidelines to direct future development within the Project area.

The Project would increase the County's production capacity and further fortify the economic base of the County. The development of the Project would also revitalize a portion of the County with new industry and production. The Project would be developed to accomplish the following objectives:

- Objective 1:** Maximize the efficient movement of goods throughout the region by locating a large format high-cube logistics and e-commerce center in close proximity to the Ports of Los Angeles and Long Beach, enabling trucks servicing the site to achieve a minimum of two round trips per day.
- Objective 2:** Develop and operate a large format high-cube logistics and e-commerce center that maximizes the use of one of the few remaining large industrial sites in Southwestern San Bernardino County, to realize substantial unmet demand in Southwestern San Bernardino County and the region, and to allow Southwestern San Bernardino County to compete on a domestic and international scale through the efficient and cost-effective movement of goods.
- Objective 3:** Provide a land use plan that is sensitive to the environment through avoidance of sensitive resources, aesthetically pleasing through application of design guidelines, and places compatible land uses and facilities in an appropriate location.
- Objective 4:** Develop a high-cube logistics and e-commerce center that is in close proximity to Interstate I-10 and other major transportation arterials, to support the distribution of goods throughout the region and that also limits truck traffic disruption to sensitive receptors within the surrounding region.
- Objective 5:** Provide a system of infrastructure that includes public and private transportation, sewer, water, drainage, solid waste disposal, and other essential facilities to serve the needs of the Project.
- Objective 6:** Facilitate the continued operation of the existing Speedway uses at the Next Gen motorsports facility through provision of ongoing parking fields and drop-lot areas for designated event days.
- Objective 7:** Develop and operate an attractive large format high-cube logistics and e-commerce center in Southwestern San Bernardino County that meets industry standards for operational design criteria that will attract quality tenants and that will be competitive with other similar facilities in the region.
- Objective 8:** Develop a location for siting clean industry involving large scale buildings and impervious parking areas on a heavy industrial site that was once a steel mill.
- Objective 9:** Facilitate the establishment of design guidelines and development standards that create a unique, well-defined identity for the proposed Project. Enhance project identity through architecture, landscaping, walls, fencing, signage and entry treatments.
- Objective 10:** Develop and operate a large format high-cube logistics center and e-commerce that limit truck traffic disruption to residential areas within Southwestern San Bernardino County and neighboring jurisdictions.

- Objective 11:** Develop and operate a high-cube logistics and e-commerce center that positively contributes to the economy of Southwestern San Bernardino County through new capital investment and creation of new employment opportunities, including opportunities for highly-trained workers and expansion of a stable and diverse economic fiscal opportunity to increase the tax base.
- Objective 12:** Develop and operate employee-intensive facilities that can take advantage of the potential further expansion of transit facilities for efficient employee transportation.
- Objective 13:** Establish guidelines for energy efficiency that promote the conservation of energy resources in the construction and operation of the proposed high-cube large format logistics and e-commerce center use.

1.4 Significant Unavoidable Impacts

The Projects potentially significant impacts are defined in **Section 4.1: Aesthetics** through **Section 4.20: Wildfire** of this Draft EIR. As noted in these sections, most of the potentially significant impacts identified can be mitigated to a less than significant level through implementation of Project design features, standard conditions, and feasible mitigation measures. There are unavoidable significant impacts associated with air quality, energy, greenhouse gas emissions, and noise, as summarized below:

- Air Quality
 - AQMP Consistency. Although the Project would not directly conflict with the 2016 AQMP and SCAG's goals and policies, the project's exceedance of regional criteria pollutant thresholds would potentially result in a long-term impact on the region's ability to meet state and federal air quality standards. It should be noted that the SCAQMD developed its criteria pollutant thresholds for individual development projects and not necessarily for large projects that would be developed in multiple phases over several years, such as the proposed Specific Plan Project.
 - As discussed in **Section 4.14: Population and Housing**, the Project would not exceed planned growth projections. However, impacts associated with AQMP compliance would be significant and unavoidable as the Project would result in a change from the existing uses currently on the Project site and would include the uses permitted within the SCCIISP not reflected in the AQMP that were not previously considered during the SCAG's growth forecasts. (Impact 4.3-1).
 - Project-Related Construction and Operational Emissions. Despite implementation of mitigation measures, the Project's criteria pollutant emissions would remain above SCAQMD thresholds resulting in a significant and unavoidable impact (Impact 4.3-2). However, localized impacts would be less than significant (Impact 4.3-3).
 - Cumulative Emissions. As stated above, construction and operational activities would create a significant and unavoidable impact due to exceedances of SCAQMD regional thresholds. Implementation of **MM AQ-1** through **MMAQ-9** would reduce impacts; however, a significant and unavoidable impact would remain.

- Energy
 - Fuel Consumption. Although operation of the Project would not result in wasteful, inefficient, or unnecessary consumption of diesel fuel, the potential for the Project to increase San Bernardino County's consumption of diesel fuel by over five percent is conservatively considered significant and unavoidable. However, in the future, Project demands for diesel fuel are anticipated to decrease over time as zero-emission (ZE) and near-zero emissions (NZE) become more available.
- Greenhouse Gas Emissions
 - Despite consistency with the County's GHG Reduction Plan and compliance with various CARB and SCAQMD emissions reduction programs, the Project's emissions would be considered significant unavoidable despite the implementation of Project Design Features (PDFs), Standard Conditions, and Mitigation Measures.
- Noise
 - The Project would result in a significant and unavoidable impact due to off-site traffic noise generation (Impact 4.13-1). The Project would also result in a cumulatively considerable contribution to significant and unavoidable cumulative off-site traffic noise impacts.

1.5 Alternatives to the Project

State CEQA Guidelines § 15126.6(a) requires a Draft EIR to “describe the 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 will avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.” In response to the potentially significant impacts that were identified, the EIR includes the following alternatives for consideration by decision-makers upon action related to the Project:

Alternative 1: No Project/No Build Alternative

The purpose of describing and analyzing a No Project/No Build Alternative is to allow decision-makers the ability to compare the impacts of approving the Project with impacts of not approving the Project. The No Project/No Build Analysis is required to discuss the existing conditions (at the time the Notice of Preparation was published on December 13, 2021), as well as what would be reasonably expected to occur in the foreseeable future, if the Project were not approved, based on current plans and consistent with available infrastructure and services.

Under the No Project/No Build Alternative, the following would occur:

- The Applicant would not improve the site with the proposed development of high-cube logistics, e-commerce, and ancillary commercial uses, and the site would remain as it currently is developed.
- The existing Next Gen motorsports facility and support facilities and parking would continue to occupy the site.

- The proposed Project internal public roadways and recommended off-site intersection improvements would not be constructed.

Alternative 2: Reduced Footprint Alternative

The Reduced Footprint Alternative would reduce the building area by 25 percent. Parking fields/drop lots would remain at approximately 98 acres, providing parking for the Auto Club Speedway/future Next Gen motorsports facility. Open space associated with the water basin and existing storm channel would remain the same at 9.4 acres. Public right-of-way requirements would also remain the same at 33.7 acres.

Under the Reduced Footprint Alternative, the following would occur:

- The up to approximately 6.6 million square feet of e-commerce/high-cube logistics use would be reduced by 1,650,000 square feet to 4,950,000 square feet.
- The 261,360 square feet of ancillary commercial use would be reduced by 65,340 square feet to 196,020 square feet.
- The alternative would produce some significant unavoidable impacts in a manner similar to the project.
- Project internal public roadways and recommended off-site intersection improvements would remain consistent with the project.
- Project objectives would not be satisfied to the degree of the Project.

Alternative 3: Commercial Project Alternative

The Commercial Project Alternative would develop the site consistent with the existing General Plan Commercial (C) Land Use Category and the Special Development - Commercial (SD-COM) Zoning Designation. Commercial development under this Alternative would be developed consistent with this land use category and zoning designation as permitted in the Development Code and described below.

Under this Commercial Project Alternative, the following would occur:

- The proposed commercial development of the Project site of a total of approximately 433 acres.
- A total floor area: 180.1 acres or 7,845,156 square feet based on the maximum floor area ratio (FAR) allowed for SD Special Development.
- A total landscaped area: 86.6 acres or 3,772,296 square feet per the minimum landscaped area required for retail (20 percent of lot area or 1,000 square feet, whichever is greater).
- Total number of parking spaces required: 31,381 spaces based on the general retail use (1 space for each 250 square feet of the gross leasable area (GLA)).
- The alternative would produce some significant unavoidable impacts in a manner similar to the Project.
- Project internal public roadways and recommended off-site intersection improvements would remain consistent with the Project.

- Project objectives would not be satisfied to the degree of the Project.

Alternative Sites Alternative

CEQA Guidelines Section 15126.6(f) requires consideration of an Alternative Site that the proposed Project Applicant would be reasonably able to acquire, control, or gain access to develop. The following would occur if this alternative is taken:

- An alternative location would be chosen and should substantially reduce or avoid potential environmental impacts.
- The alternative is not considered applicable or feasible, as the proposed Project Applicant does not control other undeveloped property of similar size within the County or in the immediate area.
- Project objectives would not be satisfied to the degree of the Project.
- In addition, an alternative site would not be likely to substantially reduce any of the significant and unavoidable impacts created by Project implementation.

Environmentally Superior Alternative

State CEQA Guidelines requires that an Environmentally Superior Alternative be identified; that is, an alternative that would result in the fewest or least significant environmental impacts. The No Project Alternative is the Environmentally Superior Alternative because it would avoid many of the proposed Project's impacts. If the No Project Alternative is the environmentally superior Alternative, CEQA Guidelines § 15126.6(e)(2) requires that another alternative that could feasibly attain most of the Project's basic objectives be chosen as the Environmentally Superior Alternative. With regards to the remaining development alternatives, the Reduced Footprint Project Alternative (Alternative #2) was evaluated as the Environmentally Superior Alternative as it best meets Project objectives with the least impact to the environment when compared to the other alternatives, although it would still not fully meet the Project objectives. Refer to **Section 6.0: Alternatives** for more information.

1.6 Areas of Controversy

The CEQA Guidelines § 15123 (b)(2) and (3) require that a Draft EIR identify areas of controversy known to the Lead Agency, including issues raised by other agencies and the public and issues to be resolved, including the choice among alternatives and whether, or how to, mitigate the significant effects. The following issues of concern have been identified during the review period of the distribution of the NOP and public meetings:

- Health Risk Assessment of all potential health risks from Project-related diesel emissions sources and cumulative cancer risk impact on nearby residential unit(s). (Draft EIR **Section 4.3: Air Quality** and **Section 4.8: Greenhouse Gas Emissions**)
- Potential impacts to Aesthetics. (Draft EIR **Section 4.1: Aesthetics**)
- Potential impacts to Air Quality. (Draft EIR **Section 4.3: Air Quality**)

- Mitigation of adverse air quality impacts beyond what is minimally required. (Draft EIR **Section 4.3: Air Quality**)
- Potential impacts to GHG emissions. (Draft EIR **Section 4.8: Greenhouse Gas Emissions**)
- Potential impacts to storm drain facilities. (Draft EIR **Section 4.10: Hydrology and Water Quality**)
- Potential impacts to noise generated by traffic (Draft EIR **Section 4.13: Noise** and **Section 4.17: Transportation**)
- Potential impacts to public safety and emergency access (Draft EIR **Section 4.15: Public Services**)
- Potential impacts to traffic circulation and vehicle miles traveled. (Draft EIR **Section 4.17: Transportation**)
- Project considerations to bicycling infrastructure to both reduce traffic impacts and improve access for bicyclists including considerations to the viability of bicycle commuting, alternatives to traffic light intersections, and other safety concerns. (Draft EIR **Section 4.17: Transportation**)
- Potential impacts to utilities and utility-related services. (Draft EIR **Section 4.19: Utilities and Service Systems**)

1.7 Issues to be Resolved

The CEQA Guidelines require that an EIR present issues to be resolved by the Lead Agency. These issues include the choice between alternatives and whether or how to mitigate potentially significant impacts. The major issues to be resolved by the County regarding the Project are whether:

- Recommended mitigation measures should be adopted or modified;
- Different mitigation measures need to be applied to the Project; and
- The Project or an alternative should or should not be approved.

1.8 Summary of Significant Environmental Impacts & Mitigation Measures

The following table is a summary of significant impacts and proposed mitigation measures associated with the Project as identified in this EIR. Refer to **Sections 4.1** through **4.20**, for a detailed description of the environmental impacts and mitigation measures for the Project. All impacts of the Project can be mitigated to less than significant levels with the exception of air quality, energy, greenhouse gas emissions, and noise.

Table 1-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.3: Air Quality		
<p>Impact 4.3-1 Would the project conflict with or obstruct implementation of the applicable air quality plan?</p>	<p>Significant and Unavoidable</p>	<p>See Mitigation Measure (MM) AQ-1 through MM AQ-10 below. No additional feasible mitigation measures are available that can reduce impacts to less than significant.</p>
<p>Impact 4.3-2 Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</p>	<p>Significant and Unavoidable</p>	<p>MM AQ-1: Prior to the issuance of grading permits, the County Engineer shall confirm that the Grading Plan and Specifications require all construction contractors to incorporate the following measures to minimize construction emissions. These features shall be included in applicable bid documents and included on the grading plans.</p> <ul style="list-style-type: none"> ▪ All off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards or incorporate CARB Level 3 Verified Diesel Emission Control Strategy (VDECS). Requirements for Tier 4 Final equipment and the option for Level 3 VDECS shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit’s Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be provided to the County at the time of mobilization of each applicable unit of equipment. This equipment shall be used when commercial models that meet the construction needs of the proposed project are commercially available from local suppliers/vendors. The determination of commercial availability of such equipment shall be made by the County, based on applicant-provided evidence from expert sources, such as construction contractors in the region. ▪ Construction equipment shall be properly maintained according to manufacturer specifications.

Resource Impact	Level of Significance	Mitigation Measure(s)
		<ul style="list-style-type: none"> ▪ All diesel-powered construction equipment, delivery vehicles, and delivery trucks shall be turned off when not in use. On-site idling shall be limited to three minutes in any one hour. ▪ Construction on-road haul trucks shall be model year 2010 or newer if diesel-fueled. ▪ Information on ridesharing programs shall be made available to construction employees. ▪ During construction, lunch options shall be provided on-site. ▪ A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints per SCAQMD Standards. ▪ All construction contractors shall be provided information on the South Coast Air Quality Management District Surplus Off-road Opt-In "SOON" funds which provides funds to accelerate cleanup of off-road diesel vehicles. ▪ The Project shall demonstrate compliance with SCAQMD Rule 403 concerning fugitive dust and provide appropriate documentation to the County of San Bernardino. ▪ All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, unpaved access roads) shall be watered two times per day. ▪ All haul trucks transporting soil, sand, or other loose material off-site shall be covered. ▪ All visible mud or dirt track-out onto adjacent public roads shall be removed using wet-power vacuum street sweepers at least once per day. The use of dry-power sweeping shall be prohibited. ▪ All vehicle speeds on unpaved roads, driveways, or driving surfaces shall be limited to 15 miles per hour. ▪ All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.

Resource Impact	Level of Significance	Mitigation Measure(s)
		<ul style="list-style-type: none"> ▪ Building pads shall be laid as soon as possible after grading, unless seeding or soil binders are used. ▪ A publicly visible sign shall be posted with the telephone number and the name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the SCAQMD shall also be visible to ensure compliance. <p>MMAQ-2: The Project shall utilize “Super-Compliant” low VOC paints which have been reformulated to exceed the regulatory VOC limits (i.e., have a lower VOC content than what is required) put forth by SCAQMD’s Rule 1113 for all architectural coatings. Super-Compliant low VOC paints shall be no more than 10g/L of VOC. Prior to issuance of a building permit, the San Bernardino County Building and Safety Department shall confirm that plans include the following specifications:</p> <ul style="list-style-type: none"> ▪ All architectural coatings will be super-compliant low VOC paints. ▪ Recycle leftover paint. Take any leftover paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints. ▪ Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors. ▪ For water-based paints, clean up with water only. Whenever possible, do not rinse the cleanup water down the drain or pour it directly into the ground or the storm drain. Set aside the can of cleanup water and take it to the hazardous waste center (www.cleanup.org). ▪ Use compliant low-VOC cleaning solvents to clean paint application equipment. ▪ Keep all paint- and solvent-laden rags in sealed containers to prevent VOC emissions.

Resource Impact	Level of Significance	Mitigation Measure(s)
		<ul style="list-style-type: none"> ▪ Contractors shall construct/build with materials that do not require painting and use pre-painted construction materials to the extent practicable. ▪ Use high-pressure/low-volume paint applicators with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency. <p>MM AQ-3: Prior to issuance of tenant occupancy permits, the tenant/facility operator shall prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool, and transit. The TDM shall include, but is not limited to the following:</p> <ul style="list-style-type: none"> ▪ Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options. ▪ Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the Project site. ▪ Each building shall provide secure bicycle storage space equivalent to two percent of the automobile parking spaces provided. ▪ Each building shall provide a minimum of two shower and changing facilities as part of the tenant improvements. ▪ Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service. ▪ Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users. ▪ Provide meal options on-site or shuttles between the facility and nearby meal destinations.

Resource Impact	Level of Significance	Mitigation Measure(s)
		<ul style="list-style-type: none"> ▪ Each building shall provide preferred parking for electric, low-emitting, and fuel-efficient vehicles equivalent to at least eight percent of the required number of parking spaces. <p>This mitigation measure applies only to tenant occupancy and not the building shell approvals.</p> <p>MM AQ-4: Prior to the issuance of a building permit for tenant improvements, the Planning Department shall confirm that the Project is designed to include the following:</p> <p>Prior to issuance of a Building Permit for the Shell Design, the buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed to supply power for the future installation of electric vehicle (EV) truck charging stations on the site. Conduit should be installed from the electrical room to tractor trailer parking spaces in a logical location(s) on the site determined by the Site Developer during construction document plan check, for the purpose of accommodating the future installation of EV truck charging stations at a central location within the truck court at such time this technology becomes commercially available, and the buildings are being served by trucks with electric-powered engines.</p> <ul style="list-style-type: none"> ▪ The buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods, if required by future tenants who utilize cold storage. Conduit should be installed from the electrical room to the loading docks in a location determined by the tenant as the logical location(s) to receive trailers with TRUs. <p>This mitigation measure applies only to tenant improvements and not the building shell approvals.</p> <p>MM AQ-5: Prior to the issuance of tenant occupancy permits, the Planning Department shall confirm that tenant lease agreements include contractual language that requires all Transport Refrigeration Units (TRUs) entering the Project site be plug-in capable. Conduit for electrical hookups shall be</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>provided as part of the tenant improvements for any tenant that requires cold storage. The conduit for electrical hookups shall be provided at select loading bays for future transportation refrigeration units if required by future tenants who utilize cold storage. Electrical hookups allow for truckers to plug in any onboard auxiliary equipment and power refrigeration units while their truck is stopped. This mitigation measure applies only to tenant improvements and not the building shell approvals.</p> <p>MMAQ-6: Prior to the issuance of a tenant occupancy permit, the Planning Department shall confirm that all truck access gates and loading docks within the Project site have a sign posted that states:</p> <ul style="list-style-type: none"> ▪ Truck drivers shall turn off engines when not in use. ▪ Truck drivers shall shut down the engine after five minutes of continuous idling operation (pursuant to Title 13 of the California Code of Regulations, Section 2485). Once the vehicle is stopped, the transmission is set to “neutral” or “park,” and the parking brake is engaged. ▪ Telephone numbers of the building facilities manager and CARB to report violations. ▪ Signs shall also inform truck drivers about the health effects of diesel particulates, the California Air Resources Board diesel idling regulations, and the importance of being a good neighbor by not parking in residential areas. <p>This mitigation measure applies only to tenant improvements and not the building shell approvals.</p> <p>MMAQ-7: Prior to the issuance of a tenant occupancy permit, the Planning Department shall confirm that the Project plans and specifications shall include requirements (by contract specifications) that vendor trucks for the industrial buildings include energy efficiency improvement features through the Carl Moyer Program—including truck modernization, retrofits, and/or aerodynamic kits and low rolling resistance tires— to reduce fuel</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>consumption. This mitigation measure applies only to tenant improvements and not the building shell approvals.</p> <p>MM AQ-8: Prior to the issuance of a tenant occupancy permit, the Planning Department shall confirm that the Project plans and specifications for the industrial buildings shall include electric vehicle (passenger car) charging stations and a minimum of 12 percent carpool parking spaces at each building for employees and the public to use. This mitigation measure applies only to tenant improvements and not the building shell approvals.</p> <p>MM AQ-9: Each building shall include the necessary charging stations for cargo handling equipment. Prior to the issuance of a tenant occupancy permit, the Planning Department shall confirm that the Project plans and specifications show that all outdoor cargo handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, and forklifts) are zero emission/powered by electricity. Note that SCAQMD Rule 2305 (Warehouse Indirect Source Rule) Warehouse Actions and Investments to Reduce Emissions (WAIRE) points may be earned for electric/zero emission yard truck/hostler usage. This mitigation measure applies only to tenant improvements and not the building shell approvals.</p> <p>MM AQ-10: Project tenants shall comply with the SCAQMD Indirect Source Rule (Rule 2305). This rule is expected to reduce NOX and particulate matter emissions during operations. Emission reductions resulting from this rule were not included in the Project analysis. Compliance with Rule 2305 is enforced by the SCAQMD through their reporting process and is required for all warehouse projects greater than 100,000 square feet.</p>
<p>Impact 4.3-3 Would the project, expose sensitive receptors to substantial pollutant concentrations?</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>	<p>See MM AQ-1 and MM AQ-9 above.</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.4: Biological Resources		
<p>Impact 4.4-1 Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>	<p>MM BIO-1: Bird nesting season generally extends from February 1 through August 31 in southern California. To avoid impacts to nesting birds (common and special-status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) three days prior to project-related disturbance to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity, and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.</p> <p>MM BIO-2: All disturbed areas of the Project site, that were determined to have a low potential to provide suitable habitat for burrowing owls, which includes primarily the existing track infield grassy area and the stormwater detention basin area in the southwestern portion of the site, require a pre-construction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls.</p>
<p>Impact 4.4-6: Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>	<p>See MM BIO-2 above.</p>
Section 4.5: Cultural Resources		
<p>Impact 4.5-2 Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>	<p>MM CUL-1: If archaeological resources are exposed during construction of the Project, all ground disturbing activities within 50 feet of the potential resource(s) shall be suspended. A qualified archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards, shall evaluate the significance of the find and determine whether or not</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
		additional study is warranted. Depending upon the significance of the find, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery, may be warranted and shall be submitted to the Development Services Director or his/her designee. If the resource(s) are determined to be Native American in origin, the Project archaeologist shall notify the appropriate Native American Tribe(s) from a list provided by the County.
Impact 4.5-3 Would the project disturb any human remains, including those interred outside of dedicated cemeteries?	Less than Significant Impact with Mitigation Incorporated	Refer to MM TRC-4 below.
Section 4.6: Energy		
Impact 4.6-1 Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Significant and Unavoidable	Refer to MM AQ-3 through MM AQ-10 above and MM GHG-2 and MM GHG-3 below. No additional feasible mitigation measures are available that can reduce impacts to less than significant.
Impact 4.6-2 Would the project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	Significant and Unavoidable	Refer to MM AQ-3 through MM AQ-10 above and MM GHG-2 and MM GHG-3 below. No additional feasible mitigation measures are available that can reduce impacts to less than significant.
Section 4.7: Geology and Soils		
Impact 4.7-5 Would the project result in substantial soil erosion or the loss of topsoil?	Less than Significant Impact with Mitigation Incorporated	MM GEO-1: Prior to the issuance of any grading permit or building permit, County Staff shall review all Project plans involving grading, foundation, structural, infrastructure, and all other relevant construction to ensure compliance with the applicable recommendations from the Preliminary Report of Geotechnical Study Proposed Speedway Commerce Center II, and the California Building Code requirements to minimize soil erosion or the loss of topsoil. Specific design considerations as outlined in the Preliminary Report of Geotechnical Study Proposed Speedway Commerce Center II, included in <i>Appendix G</i> shall be implemented in the Project construction plans to minimize the risk for soil erosion.

Resource Impact	Level of Significance	Mitigation Measure(s)
<p>Impact 4.7-6 Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>	<p>Refer to MM GEO-1 above.</p> <p>MM GEO-2: Undocumented Fill. Engineered fill shall primarily be utilized on-site to support the proposed improvements. If existing artificial fill will be used, the documentation of the placement of any engineered fill shall be reviewed by a professional engineer or geologist to conclude that the existing artificial fill on-site is acceptable to support all proposed improvements. If, during construction, undocumented artificial fill is detected on-site in excavated areas, or the quality of undocumented artificial fill is determined to be unacceptable, then the undocumented artificial fill shall be removed and replaced with engineered fill. A professional geologist or engineer shall observe the fill during excavation and evaluate the condition of the fill at the elevation of the proposed foundations to ensure conformance with all applicable recommendations in the Preliminary Report of Geotechnical Study Proposed Speedway Commerce Center II.</p>
<p>Impact 4.7-9 Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>	<p>MM GEO-3: Worker’s Environmental Awareness Program (WEAP). Prior to the start of ground-disturbing activities, all field personnel shall receive a worker’s environmental awareness training on paleontological resources. The training shall provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the Project area, the role of the paleontological monitor, and outline steps to follow in the event that a fossil discovery is made. Contact information for the Project Paleontologist shall also be provided. The training shall be developed by the Project Paleontologist and can be delivered concurrent with other required training including cultural, biological, safety, etc.</p> <p>MM GEO-4: Paleontological Mitigation Monitoring. Prior to the commencement of ground-disturbing activities, a professional paleontologist shall be retained to prepare and implement a Paleontological Resources Mitigation and Monitoring Plan (PRMMP) for the proposed Project. The PRMMP will describe the monitoring required during excavations that extend into Pleistocene sediment (i.e., excavations greater</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>than five feet in depth in Qyf5 and Qf sediments), and the location of any areas deemed to have a high paleontological resource potential. Monitoring shall entail the visual inspection of excavated or graded areas and trench sidewalls. If the Project Paleontologist determines full-time monitoring is no longer warranted, based on the geologic conditions at depth, he or she may recommend to County staff that monitoring be reduced or cease entirely.</p> <p>MM GEO-5: Fossil Discoveries. In the event that a paleontological resource is discovered, the paleontological monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the Project Paleontologist shall complete the following:</p> <ol style="list-style-type: none"> 1. Salvage of Fossils. If fossils are discovered, all work in the immediate vicinity shall be halted to allow the paleontological monitor, and/or Project Paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the Project Paleontologist (or paleontological monitor) should recover them following standard field procedures for collecting paleontological resources as outlined in the PRMMP prepared for the project. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the Project Paleontologist has the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. 2. Fossil Preparation and Curation. The PRMMP shall identify the museum that has agreed to accept fossils that may be discovered during project-related excavations. Upon completion of fieldwork, all significant fossils collected shall be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossil specimens shall be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens shall be delivered to the accredited museum or repository no later than 90 days after all fieldwork is completed. The cost of curation will be assessed by the museum and will be the responsibility of the Master Developer and/or Site Developer, as applicable.</p> <p>MM GEO-6: Final Paleontological Mitigation Report. Upon completion of ground disturbing activity (and curation of fossils if necessary) the Project Paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, the scientific significance of those fossils, and where the fossils were curated.</p>
Section 4.8: Greenhouse Gas Emissions		
<p>Impact 4.8-1 Would the project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment?</p>	<p>Significant and Unavoidable</p>	<p>Refer to MMAQ-1 through MMAQ-10 above.</p> <p>MM GHG-1: Project development proposals with building permit applications for tenant improvements shall implement Screening Table Measures that demonstrate that each building achieve at least 100 points per the Screening Tables. The County shall verify that Screening Table Measures achieving the 100-point performance standard are incorporated in development plans prior to the issuance of building permit(s) and/or site plans (as applicable). The County shall verify implementation of the selected Screening Table Measures prior to the issuance of Certificate(s) of Occupancy. At the discretion of the County, measures that provide GHG reductions equivalent to GHG emissions reductions achieved via the Screening Table Measures may be implemented. Multiple development proposals may, at the discretion of the County, be allowed to collectively demonstrate achievement of at least 100 points per the Screening Tables.</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>This mitigation measure applies only to tenant permits and not the building shell approvals.</p> <p>MM GHG-2: As part of the building permit for tenant improvements, the Project shall install solar photovoltaic (PV) panels or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable sources, that would provide at least 50 percent of the expected total building load. On-site solar PV or other clean energy systems shall be installed within two years of commencing operations. Each building shall include an electrical system and other infrastructure sufficiently sized to accommodate the PV arrays. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage. This mitigation measure applies only to tenant permits and not the building shell approvals.</p> <p>MM GHG-3: Prior to the issuance of a building permit for tenant improvements, the tenant or successor in interest shall provide documentation to the San Bernardino County demonstrating that the Project is designed to achieve Leadership in Energy and Environmental Design (LEED) standards or meet or exceed CALGreen Tier 2 standards in effect at the time of building permit application. This mitigation measure applies only to tenant permits and not the building shell approvals.</p> <p>MM GHG-4: The development shall divert a minimum of 75 percent of landfill waste. Prior to issuance of tenant occupancy permits, a recyclables collection and load area shall be constructed in compliance with County standards for Recyclable Collection and Loading Areas. This mitigation measure applies only to tenant permits and not the building shell approvals.</p> <p>MM GHG-5: Prior to the issuance of tenant occupancy permits, the Planning Department shall confirm that tenant lease agreements include contractual language that all handheld landscaping equipment used on-site shall be 100 percent electrically powered. This mitigation measure applies only to tenant permits and not the building shell approvals.</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
<p>Impact 4.8-2 Would the project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions?</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>	<p>Refer to MM AQ-3 through MM AQ-10 and MM GHG-1 through MM GHG-5 above.</p>
<p>Section 4.9: Hazards and Hazardous Materials</p>		
<p>Impact 4.9-1 Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>	<p>MM HAZ-1: Soil Management Plan (SMP). Prior to issuance of a grading permit or trenching or subsurface excavation for utilities or roadway infrastructure, the Master Developer, Site Developer, or Lead Agency, as applicable, shall retain a qualified environmental consultant to prepare a SMP that details procedures and protocols for on-site management of soils containing potentially hazardous materials. The SMP shall include, but not be limited to:</p> <ul style="list-style-type: none"> ▪ Land use history, including description and locations of known contamination; ▪ The nature and extent of previous investigations and remediation at the site; ▪ Identified areas of concern at the site, in relation to proposed activities; ▪ A listing and description of institutional controls, such as applicable County ordinances and other local, state, and federal regulations and laws that would apply to the project; ▪ Names and positions of individuals involved with soils management and their specific role; ▪ An earthwork schedule; ▪ Requirements for site-specific Health and Safety Plans (HSPs) to be prepared by all contractors at the project site. The HSP should be prepared by a Certified Industrial Hygienist and would protect on-site workers by including engineering controls, personal protective equipment, monitoring, and security to prevent unauthorized entry and to reduce construction related hazards. The HSP should address the possibility of encountering subsurface hazards including hazardous

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>waste contamination and include procedures to protect workers and the public;</p> <ul style="list-style-type: none"> ▪ Hazardous waste determination and disposal procedures for known and previously unidentified contamination, including those associated with any soil export activities, if applicable; ▪ Requirements for site specific techniques at the site to minimize dust, manage stockpiles, run on and run-off controls, waste disposal procedures, etc.; and ▪ Copies of relevant permits or closures from regulatory agencies. <p>MM HAZ-2: If potentially contaminated soil is identified during site disturbance activities for the Project, as evidenced by discoloration, odor, detection by instruments, or other signs, a qualified environmental professional shall inspect the site, determine the need for sampling to confirm the nature and extent of contamination, and provide a written report to the Master Developer, Site Developer, or Lead Agency, as applicable, stating the recommended course of action. Depending on the nature and extent of contamination, the qualified environmental professional shall have the authority to temporarily suspend construction activity at that location for the protection of workers or the public. If, in the opinion of the qualified environmental professional, substantial remediation may be required, the Master Developer, Site Developer, or Lead Agency, as applicable, shall contact representatives of the San Bernardino County Fire Department and/or DTSC for guidance and oversight and shall comply with all performance standards and requirements of the respective agency for proper removal and disposal of contaminated materials. In addition, any activities which will disturb portions of the property subject to a land use covenant (LUC) (e.g., excavation, grading, removal, trenching, filling or earth movement) shall require proper notification to DTSC in accordance with the terms of the LUC.</p> <p>MM HAZ-3: Prior to the issuance of a demolition permit for any buildings or structures on-site, the Master Developer or Site Developer, as applicable, shall conduct a comprehensive ACM survey to identify the locations and</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
		quantities of ACM in above-ground structures. The Master Developer or Site Developer, as applicable, shall retain a licensed or certified asbestos consultant to inspect buildings and structures on-site. The consultant's report shall include requirements for abatement, containment, and disposal of ACM, if encountered, in accordance with SCAQMD's Rule 1403.
<p>Impact 4.9-2 Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</p>	Less than Significant Impact with Mitigation Incorporated	See MM HAZ-1 above.
Section 4.13: Noise		
<p>Impact 4.13-1 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?</p>	Significant and Unavoidable	No feasible mitigation measures are available that can reduce impacts to less than significant.
Section 4.17: Transportation		
<p>Impact 4.17-4 Would the project result in inadequate emergency access?</p>	Less than Significant Impact with Mitigation Incorporated	<p>MM TRANS-1: Master Developer will form a Transportation Management Association by the date of issuance of the first building permit issued for the development.</p> <p>MM TRANS-2: A comprehensive traffic management plan developed by the Transportation Management Association, shall be submitted and approved by the County Engineer to manage traffic to and from the Next Gen motorsports facility and SCCIISP Project during race weekends and as required during ancillary events. Manual traffic control, including signage, traffic control personnel, and routing shall be provided by Next Gen motorsports facility to ensure that all intersections affected by race-related or ancillary event-related traffic, will function at LOS E or better at midday and in the p.m. peak hour on Friday, as well as all day Saturday and Sunday</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>and on weekdays during ancillary events. The TMP shall be submitted a minimum of 30 days prior to each event.</p> <p>In addition, manual traffic control shall also be employed as determined by the County of San Bernardino in consultation with the California Highway Patrol; Cities of Fontana, Rancho Cucamonga, and Ontario; and the Fontana Unified School District, where needed, to safely move traffic through intersections affected by traffic.</p>
Section 4.18: Tribal Cultural Resources		
<p>Impact 4.18-1 Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC 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:</p> <p>Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k) or;</p> <p>A resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe?</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>	<p>MM TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities</p> <p>A. The Master Developer or, Site Developers and/or lead agency, as applicable, project applicant/lead agency shall retain a Native American monitor from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the “Kizh” or the “Tribe”). The project applicant/lead agency shall retain a Native American monitor from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the “Kizh” or the “Tribe”). The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project, at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</p> <p>B. A copy of the executed monitoring agreement shall be provided to the lead agency prior to the earlier of the commencement of any ground-disturbing activity for the project, or the issuance of any permit necessary to commence a ground-disturbing activity.</p> <p>C. The Master Developer or, Site Developers and/or lead agency, as applicable, shall provide the Tribe with a minimum of 30 days advance written notice of the commencement of any project ground-disturbing</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>activity so that the Tribe has sufficient time to secure and schedule a monitor for the project.</p> <p>D. The Master Developer or, Site Developer and/or lead agency, as applicable, shall hold at least one (1) pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where at a senior member of the Tribe will inform and educate the project’s construction and managerial crew and staff members (including any project subcontractors and consultants) about the TCR mitigation measures and compliance obligations, as well as places of significance located on the project site (if any), the appearance of potential TCRs, and other informational and operational guidance to aid in the project’s compliance with the TCR mitigation measures.</p> <p>E. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the Master Developer or /Site Developers, as applicable, and the lead agency and/or upon written request.</p> <p>F. Native American monitoring for the project shall conclude upon the latter of the following: (1) written confirmation from a designated project point of contact to the Tribe that all ground-disturbing activities and all phases that may involve ground-disturbing activities on the project site and at any off-site project location are complete; or (2) written notice by the Tribe to the Master Developer or, Site Developers, as applicable, and/or the lead agency, as applicable, that no future, planned construction activity and/or</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>development/construction phase (known by the Tribe at that time) at the project site and at any off-site project location possesses the potential to impact TCRs.</p> <p>MM TCR-2: Discovery of TCRs.</p> <p>A. Upon the discovery of a TCR, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Consulting Tribes, Gabrieleño Band of Mission Indians – Kizh Nation and San Manuel Band of Mission Indians (SMBMI), shall be immediately informed of the discovery. An archaeologist that meets Secretary of Interior Professional Qualifications, a Kizh monitor and/or Kizh archaeologist, and an SMBMI CRM staff member will promptly report to the location of the discovery to evaluate the TCR and advise the project manager regarding the matter, protocol, and any mitigating requirements. No project construction activities shall resume in the surrounding 50 feet of the discovered TCR unless and until the Consulting Tribes and archaeologist have completed their assessment/evaluation/treatment of the discovered TCR and surveyed the surrounding area. Treatment protocols outlined in TCR-3 shall be followed for all discoveries that do not include human remains.</p> <p>MM TCR-3: Treatment and Disposition of TCRs.</p> <p>A. After the notification of discovery to the Consulting Tribes and assessments/evaluations have occurred, the following treatment/disposition of the TCRs shall occur:</p> <ol style="list-style-type: none"> 1. Preservation-In-Place of the TCRs, if feasible as determined through coordination between the project archeologist, Master Developer or Site Developers, as applicable, and Consulting Tribes, is the preferred method of treatment. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources in perpetuity.

Resource Impact	Level of Significance	Mitigation Measure(s)
		<ul style="list-style-type: none"> <li data-bbox="1129 240 1902 675">2. Should Preservation-In-Place not be feasible, the landowner shall accommodate the process for on-site reburial of the discovered items with the Consulting Tribes. This shall include measures and provisions to protect the future reburial area from any future impacts. During the course of construction, all recovered resources shall be temporarily curated in a secure location on site. The removal of any artifacts from the project site shall require the approval of the Consulting Tribes and all resources subject to such removal must be thoroughly inventoried with a tribal representative from each consulting tribe to oversee the process. Reburial shall not occur until all cataloguing and basic recordation have been completed. <li data-bbox="1129 703 1902 987">3. If Preservation-In-Place and reburial are not feasible, the landowner(s) shall relinquish ownership of all TCRs and a curation agreement with an appropriate qualified repository within San Bernardino County that meets federal standards per 36 CFR Part 79 shall be established. The collections and associated records shall be transferred, including title, to said curation facility by the landowner, and accompanied by payment of the fees necessary for permanent curation. <li data-bbox="1083 1015 1902 1230">B. Any historic archaeological material that is not Native American in origin (non-TCRs) shall be curated at a public, non-profit institution with a research interest in the materials within the County of the discovery, 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. <li data-bbox="1083 1258 1902 1471">C. If discoveries were made during the project, a Monitoring Report shall be submitted to the County by the Archaeologist at the completion of grading, excavation, and ground-disturbing activities on the site. Said report will document monitoring and archaeological efforts conducted by the archaeologist and Consulting Tribes within 60 days of completion of grading. This report shall document the impacts to the known

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>resources on the property, describe how each mitigation measure was fulfilled, document the type of cultural resources recovered, and outline the treatment and disposition of such resources. All reports produced will be submitted to the County of San Bernardino, appropriate Information Center, and Consulting Tribes.</p> <p>MM TCR-4: Procedures for Burials and Funerary Remains. In accordance with California Health and Safety Code § 7050.5, if human remains are found, the County Coroner shall be notified within 24 hours of the discovery. The project lead/foreman shall designate an Environmentally Sensitive Area (ESA) physical demarcation/barrier 100 feet around the resource and no further excavation or disturbance of the site shall occur while the County Coroner makes his/her assessment regarding the nature of the remains. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with Public Resources Code § 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative will then determine, in consultation with the property owner, the disposition of the human remains.</p> <p>Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties. It is understood by all Parties</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).</p>

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2.0

INTRODUCTION

2.0 INTRODUCTION

This Draft Environmental Impact Report (EIR) is prepared for the County of San Bernardino's Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project) in compliance with the California Environmental Quality Act (CEQA). CEQA requires local and state agencies to identify the significant environmental impacts of a proposed project and to avoid or mitigate those impacts, if feasible, through mitigation measures or project alternatives. The CEQA Guidelines are located within the California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000-15387 (CCR or CEQA Guidelines), while the CEQA statute is codified as Public Resources Code §§ 21000-21189.57 (PRC or CEQA Statute). For purposes of CEQA review and compliance for this Project, the County of San Bernardino serves as the Lead Agency.

The Project site is in an unincorporated area of southwestern San Bernardino County (County) and within the City of Fontana Sphere of Influence. The Project site is approximately 40 miles east of downtown Los Angeles, 20 miles west of downtown San Bernardino, and 30 miles northeast of central Orange County (see **Figure 3-1: Regional Location Map**). The Project site is located north of the San Bernardino Freeway (I-10) and San Bernardino Avenue and is bounded by Cherry Avenue to the east, an active freight and passenger rail line to the north, the West Valley Materials Recycling Facility to the west, and California Steel Industries to the south. The City of Fontana is located to the north, east, and south of the site. The City of Rancho Cucamonga is located to the west and northwest and the City of Ontario is located to the southwest, as shown in **Figure 3-2: Project Location Map**. The Project would surround the future Next Gen motorsports facility generally on three sides. The Project encompasses approximately 433 acres of the approximately 522-acre existing Auto Club Speedway (ACS) facility. The Project proposes up to approximately 6.6 million square feet of high-cube logistics and e-commerce development with approximately 261,360 square feet of ancillary commercial uses and approximately 98 acres of parking fields/drop lot areas, as well as ancillary open space to support the Project development. The Project site would also be developed with greenbelts, public roads, other support amenity features, and stormwater facilities (see **Figure 3-3: Conceptual Land Use Plan**). The Project would be constructed in four phases, starting in 2023 with anticipated project completion by 2027. However, the actual phasing sequence and time-frame for development may vary depending on market conditions.

2.1 Purpose of the Environmental Impact Report

According to CEQA Guidelines § 15121 and PRC § 21061, the purpose of an EIR is to provide detailed information to public agency decision-makers and the public on the environmental effects of a proposed project. Accordingly, this Draft EIR reviews the existing conditions at and in the vicinity of the Project site; identifies and analyzes the potential environmental impacts; and recommends feasible mitigation measures or Project alternatives to reduce or avoid significant adverse environmental effects, as described in **Section 3.0: Project Description**, **Section 4.0: Environmental Impact Analysis**, and **Section 6.0: Alternatives**. The potential impacts evaluated include both temporary construction-related effects and the long-term effects of development, operation, and maintenance of the Project, as described in **Section 4.0: Environmental Impact Analysis**.

The intent of this EIR is to evaluate and where feasible, avoid or mitigate the Project's potential environmental impacts utilizing site and Project-specific detailed plans, technical studies, and related information that is available. This EIR will be used by the County as the Lead Agency, other responsible and trustee agencies, interested parties, and the general public to evaluate the potential environmental impacts of the Project (refer to **Section 3.9: Required Agency Approval**, for a list of anticipated responsible and trustee agencies and Project approvals).

Therefore, this EIR is intended to serve as the primary environmental document for all entitlements associated with the Project, including all discretionary approvals requested or required to implement the Project. The County, as the Lead Agency, can approve subsequent actions without additional environmental documentation unless otherwise required by § 21166 of the CEQA Statute and § 15162 of the CEQA Guidelines. The CEQA Statute specifies the following in § 21166:

When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:

- (a) Substantial changes are proposed in the project, which will require major revisions of the environmental impact report.
- (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken, which will require major revisions in the environmental impact report.
- (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

Additionally, § 15162 of the CEQA Guidelines specifies:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would, in fact, be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

2.2 Compliance with CEQA

According to the CEQA Guidelines § 15064(f)(1) and CEQA Statute § 21100, preparation of an EIR is required whenever a project may result in a significant effect on the environment. An EIR is an informational document used to inform public agency decision-makers and the general public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the Project that could feasibly attain most of the basic objectives of the Project while substantially lessening or avoiding any of the significant environmental impacts. Public agencies are required to consider the information presented in the EIR when determining whether to approve a project. CEQA requires that state and local government agencies consider the environmental effects of projects over which they have discretionary authority before taking action on those projects.

This Draft EIR identifies and analyzes the environmental effects of the Project to the degree of specificity appropriate to the current proposed actions, as required by § 15146 of the CEQA Guidelines. The analysis considers the activities associated with the Project in order to determine the short-term and long-term environmental effects associated with their implementation. This EIR discusses both temporary and permanent impacts and direct and indirect impacts of the Project, in addition to cumulative impacts associated with other past, present, and reasonably foreseeable future projects.

Based on significance criteria, the effects of the Project are categorized as either “no impact,” “less than significant impact,” “less than significant impact with mitigation incorporated,” or “significant unavoidable impact” (refer to **Section 4.0: Environmental Impact Analysis**). Mitigation measures are recommended for potentially significant impacts, to avoid or lessen, to the extent feasible and possible, the Project’s environmental impacts. In the event the Project results in significant unavoidable impacts even with implementation of feasible mitigation measures, the decision-makers may approve the Project based on a “Statement of Overriding Considerations.” This determination requires the decision-makers to balance the benefits of the Project to determine if they outweigh identified unavoidable impacts.

CEQA Guideline § 15093 provides the following:

- a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits,

including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

- b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

2.3 Notice of Preparation/Early Consultation

In compliance with the CEQA Guidelines, the County provided opportunities for various agencies and the public to participate in the environmental review process. During preparation of the Draft EIR, efforts were made to contact various federal, state, regional, and local government agencies, and other interested parties to solicit comments on the scope of review in this document. This included the distribution of a Notice of Preparation (NOP) to various responsible agencies, trustee agencies, and interested parties. Pursuant to CEQA Guidelines § 15082 and CEQA Statute § 21092, the County circulated the NOP directly to public agencies (including the State Clearinghouse Office of Planning and Research), sent a mailing to property owners within 1,300 feet of the Project area, and provided notice to members of the public who had requested such notice. In addition, the NOP was also uploaded to CEQANet and the environmental documents were made available to the public on the County’s website. The NOP was distributed on December 13, 2021, with the 30-day public review period concluding on January 13, 2022. A copy of the NOP is included in **Appendix A: Notice of Preparation and Scoping Materials**.

Public Scoping Meeting

The County included a notice of a public scoping meeting for the Project with the NOP referenced above. An in-person public scoping meeting was to be held on January 11, 2022, at the Sequoia Middle School, Multi-Purpose Room, 9452 Hemlock Avenue, Fontana, California 92335. However, due to changes in Covid-19 concerns, the meeting was changed to a virtual meeting and a revised public scoping meeting notice was sent to all interested parties, and to all property owners within a 1,300-foot radius of the Project boundary on January 5, 2022. The County held a Scoping Meeting on January 11, 2022 via the Zoom platform. The purpose of the scoping meeting was to obtain comments from the public and agencies regarding the scope of the environmental document.

Oral comments were received during the Scoping Meeting from one individual. There were no other oral comments received. A total of 10 comment letters were received in response to the NOP within the review period. Three comment letters were received after the NOP comment review period closed from the County’s Land Use Services Department, Lozeau Drury, LLP, and the City of Fontana. The NOP, comment

letters received during (and after) the NOP review period, and Scoping Meeting Materials are included in **Appendix A: Notice of Preparation and Scoping Materials**.

Areas of concern identified during the scoping period include:

- Aesthetic impacts
- Air quality impacts
- Drainage and flood susceptibility
- Greenhouse gas emissions
- Traffic and circulation
- Community health risks
- Bicycle transportation
- Utilities

Native American Consultation

Senate Bill (SB) 18, further discussed in **Section 4.18: Tribal Cultural Resources**, requires local governments to consult with Native American tribes prior to making certain planning decisions, and to provide notice to tribes at certain key points in the planning process. The intent of SB 18 is to provide Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting and mitigating impacts to cultural resources.

Assembly Bill (AB) 52, also further discussed in **Section 4.18**, requires that the lead CEQA agency consult with California Native American tribes that have requested consultation for projects that may affect tribal cultural resources. The lead CEQA agency shall begin consultation with participating Native American tribes prior to the release of a negative declaration, mitigated negative declaration, or EIR. Under AB 52, a project that has potential to cause a substantial adverse change to a tribal cultural resource constitutes a significant effect on the environment unless mitigation reduces such effects to a less than significant level.

The City sent AB 52 and SB 18 notification to representatives of the following tribes on February 22, 2022:

- Agua Caliente Band of Cahuilla Indians
- Gabrieleño/Tongva San Gabriel Band of Mission Indians
- Gabrieleño Tongva Indians of California Tribal Council
- Quechan Tribe of the Fort Yuma Reservation
- Serrano Nation of Mission Indians
- Agua Caliente Band of Cahuilla Indians
- Gabrieleño/Tongva Nation
- Gabrieleño -Tongva Tribe
- San Manuel Band of Mission Indians
- Soboba Band of Luiseno Indians
- Gabrieleño Band of Mission Indians - Kizh Nation
- Gabrieleño Tongva Indians of California Tribal Council
- Morongo Band of Mission Indians
- Santa Rosa Band of Cahuilla Indians

PaleoWest (Cultural Resources Assessment for the Speedway Commerce Center II Specific Plan Project, November 2021, included in **Appendix E**) contacted the Native American Heritage Commission (NAHC) for a review of the Sacred Lands File (SLF) on August 3, 2021. The NAHC responded on August 27, 2021, stating their files indicate no known Native American cultural resources within the immediate Project area. The

NAHC suggested contacting 16 individuals representing 12 Native American tribal groups to request additional information about any sensitive Native American resources that may exist in the Project vicinity. Outreach letters were sent to each of the Native American contacts on September 7, 2021 with follow up conducted on September 28, 2021.

PaleoWest contacted the individuals and tribes provided by the NAHC and received the following requests. The Agua Caliente Band of Cahuilla Indians (ACBCI) responded via email on September 8, 2021 and stated that the Project area is outside of their traditional use area. Therefore, the ACBCI would defer to other tribes in the area. The Gabrieleño Band of Mission Indians – Kizh Nation (Kizh Nation) responded via email on September 8, 2021 and requested the lead agency's contact information. This information was provided via email to the Kizh Nation on September 20, 2021; no further correspondence was received from the tribe. Jill McCormick, Historic Preservation Officer for the Quechan Indian Tribe, responded on September 9, 2021 and stated that the tribe did not wish to provide comments on the Project and would defer to more local tribes. Finally, on September 20, 2021, Ryan Nordness, Cultural Resource Analyst for the San Manuel Band of Mission Indians, emailed and stated that the proposed Project is not located near any known SLFs, Serrano village sites, or archaeological sites. The other Native American contacts to whom outreach letters were sent did not respond.

The results of the Project's cultural resources studies, along with the information received through the SB 18/AB 52 consultation process, are discussed in **Section 4.5: Cultural Resource** and **Section 4.18: Tribal Cultural Resources**. AB 52 letters/email correspondence were received from the Gabrielino Indians/Kizh Nation and San Manuel Band of Mission Indians requesting consultation and proposed mitigation measures.

Stakeholder Consultation

In addition to required CEQA consultation through the NOP Scoping process and SB 18/AB 52 consultation, the County and Project Applicant engaged in extensive stakeholder consultation following the release of the NOP in December 2021. This stakeholder outreach included focused consultation with agencies from which the Project Applicant would require permits or approvals, including but not limited to:

- Fontana Water District
- County of San Bernardino Special Districts and Public Works
- San Bernardino County Flood Control District
- Inland Empire Utilities Agency

Environmental Justice Outreach

Pursuant to SB 1000 and the County's General Plan, the Project is conducting environmental justice outreach in order to ensure the continued equitable maintenance of environmental quality and protection from environmental hazards. Public outreach includes two community workshops, the first of which was held on January 12, 2022 at the Cypress Neighborhood Center, 8380 Cypress Avenue, Fontana, California. A second workshop will be held after the circulation of this Draft EIR for public review, to ensure environmental justice comments on the environmental document may be submitted and addressed. A

separate notice will be provided for the second workshop and will be posted on the County's webpage once the date has been determined.

Oral comments provided during the first workshop focused on:

- The preferred continuation of physical mailings for noticing,
- Potential loss of customers for local businesses,
- Governmental support for small businesses,
- Preservation of neighborhood culture,
- Impacts to existing utilities,
- Impacts to existing traffic flows, and
- Improvements to local roadways.

A Project webpage to supplement the outreach process and engage the community and interested stakeholders was established and maintained throughout the environmental process and review of the SCCIISP. An interactive storymap tool, all public notices, summary of public workshops, and materials were posted in both English and Spanish and made available on the Project webpage.

2.4 Environmental Review Process

Public review of the Draft EIR

Per CEQA Guidelines § 15105, the public review period for a Draft EIR shall not be less than 30 days nor should it be longer than 60 days except under unusual circumstances. This Draft EIR will be circulated for a 45-day public review period. The review and comment period for this Draft EIR begins on June 1, 2022 and extends through July 18, 2022.

The public is invited to comment in writing on the information contained in this document. Interested agencies and members of the public are invited to provide written comments on the Draft EIR and are encouraged to provide information that they believe should be included in the EIR. The Draft EIR is available to the general public for review on the County's website at:

<http://cms.sbcounty.gov/lus/Planning/Environmental/Valley.aspx>

The Draft EIR is also available at the locations listed below:

- Planning Counter – Land Use Services Department- Planning Division, County of San Bernardino, 385 North Arrowhead Avenue, First Floor, San Bernardino, CA 92415
- CEQAnet at <https://ceqanet.opr.ca.gov/> (State Clearing House No. SCH2021120259)

Comment letters should be sent to:

Steven Valdez, Senior Planner
County of San Bernardino
Land Use Services Department- Planning Division
385 North Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0187

Final EIR

Upon completion of the 45-day Draft EIR public review period, the County will evaluate all written comments received during the public review period on the Draft EIR. Pursuant to CEQA Guidelines § 15088, the County will prepare written responses to comments raising environmental issues with the adequacy or accuracy of the information provided. Pursuant to CEQA Guidelines § 15132 (Contents of Final Environmental Impact Report), the Final EIR will be prepared and will include:

- (a) The Draft EIR or a revision of the draft;
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR; and
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the Lead Agency.

Additionally, pursuant to CEQA Guidelines § 15088 (Evaluation of and Response to Comments), the County will respond to all comments raising significant environmental issues and, after the Final EIR is completed, the County will provide a written response to each public agency on comments made by that public agency at least ten days prior to certifying the EIR.

Certification of the Final EIR

The Draft EIR, as revised by the Final EIR, will be considered by the County Board of Supervisors for certification, consistent with CEQA Guidelines § 15090, which states:

Prior to approving a project, the Lead Agency shall certify that:

- (1) The final EIR has been completed in compliance with CEQA;
- (2) The final EIR was presented to the decision-making body of the Lead Agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
- (3) The final EIR reflects the Lead Agency's independent judgment and analysis.

Regarding the adequacy of an EIR, according to CEQA Guidelines § 15151, "An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."

Project Consideration

After certification of the Final EIR, the Board of Supervisors may consider approval of the proposed Project. A decision to approve the Project would be accompanied by specific, written findings, in accordance with CEQA Guidelines § 15091.

2.5 Format of the EIR

This Draft EIR is organized into 10 sections:

- Section 1.0** **Executive Summary**, provides a project summary and summary of potentially significant environmental impacts, and proposed mitigation measures and Project alternatives.
- Section 2.0** **Introduction**, provides CEQA compliance information.
- Section 3.0** **Project Description**, provides the environmental setting, Project characteristics and objectives, phasing, and anticipated permits and approvals that may be required for the Project.
- Section 4.0** **Environmental Impact Analysis**, provides a discussion of the existing conditions for each of the environmental impact areas. This section also describes methodologies for significance determinations, identifies both short-term and long-term environmental impacts of the Project, recommends mitigation measures to reduce the significance of environmental impacts, and identifies any areas of potentially significant and unavoidable impacts. This section also includes a discussion of cumulative impacts that could arise as a result of Project implementation.
- Section 5.0** **Other CEQA Considerations**, summarizes unavoidable significant impacts, and discusses significant irreversible environmental changes, growth-inducing impacts, and energy conservation, in accordance with CEQA Guidelines *Appendix F*.
- Section 6.0** **Alternatives** describes potential Project alternatives, including alternatives considered but rejected from further consideration, the No Project Alternative, and identifies the Environmentally Superior Alternative.
- Section 7.0** **Effects Found Not to Be Significant**, describes potential impacts that have been determined not to be significant.
- Section 8.0** **EIR Consultation and Preparation** identifies the CEQA lead agency and EIR preparation team, as well as summarizes the EIR consultation process.

2.6 Responsible and Trustee Agencies

Lead Agency

County of San Bernardino

For this Project, the County is the Lead Agency under CEQA. This Draft EIR has been prepared in accordance with the CEQA Statute and the CEQA Guidelines. CEQA requires lead agencies to consider potential environmental effects that may occur with implementation of a project and to avoid or substantially lessen significant effects to the environment when feasible. When a project may have a significant effect on the environment, the agency with primary responsibility for carrying out or approving the project (the Lead Agency) is required to prepare an EIR.

Trustee, Responsible, and Cooperating Agencies

Other federal, state, and local agencies are involved in the review and approval of the Project, including those agencies designated as trustee and responsible agencies under CEQA. Under CEQA, a trustee agency is a state agency that has jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. A responsible agency is an agency, other than the lead agency, that has responsibility for carrying out or approving a project. Responsible and trustee agencies are consulted by the CEQA lead agency to ensure the opportunity for input and also review and comment on the Draft EIR. Responsible agencies also use the CEQA document in their decision-making.

The Project includes infrastructure improvements that may require consultation and permits from agencies such as the United States Army Corps of Engineers (USACE), San Bernardino County Flood Control District (SBCFCD) and Special Districts, Fontana Water District and Inland Empire Utilities Agency (IEUA), and Southern California Edison (SCE). There may be several other agencies other than these listed that may require permits, approvals, and/or consultation in order to implement various elements of the Project. A full list of all applicable agencies is listed in **Section 3.9: Required Agency Approval**.

2.7 Incorporation by Reference

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

San Bernardino County Countywide Plan. The County adopted the Countywide Plan in October 2020. The Countywide Plan includes the Policy Plan, Business Plan, Community Action Guides, and Environmental Documents. The Policy Plan component takes into account all services—not just land-use planning—provided by County Government, while the Community Action Guides communicate the unique values and priorities of each unincorporated community. The Business Plan component serves as a guide for County decision-making, financial planning, and communications.

As part of the Countywide Plan, the Policy Plan provides:

- An update of the County's General Plan and Community Plans addressing physical, social, and economic issues facing the unincorporated portions of the County.
- An expansion of the County's General Plan to address supportive services for adults and children, healthcare services, public safety, and other regional county services provided to both incorporated and unincorporated areas.

As part of its Countywide Plan - Policy Plan, the County includes the following eight elements: (1) Land Use; (2) Infrastructure and Utilities; (3) Transportation and Mobility; (4) Natural Resources; (5) Hazards; (6) Personal and Property Protection; (7) Economic Development; and (8) Health and Wellness. The Countywide Plan is used throughout this EIR since it contains information, goals, and policies relevant to the Project.

The Countywide Plan is available for review on the County's website at:

- <http://countywideplan.com/policy-plan/>

San Bernardino Countywide Plan Draft Environmental Impact Report (State Clearinghouse [SCH] No. 2017101033). The San Bernardino Countywide Plan Draft Environmental Impact Report (Countywide Plan Draft EIR) analyzes the potential environmental impacts that would result from implementation of the Countywide Plan. Buildout of the unincorporated County is forecast to include a population increase of 49,680 with up to 15,365 housing units, 12,546 jobs, and 19,397,900 square feet of building square footage. The Countywide Plan Draft EIR is used in this EIR as a source of baseline data and cumulative impacts for buildout of the County.

The Countywide Plan Draft EIR is available for review on the County's website at:

- <https://countywideplan.com/resources/document-download/>

San Bernardino County Code of Ordinances. The San Bernardino County Code of Ordinances (County Code) regulates land use and activities within the County's jurisdiction, including development regulations (codified in Title 8 and referred to as the Development Code). The purpose of the Development Code is to implement the San Bernardino General Plan by classifying and regulating the uses of land and structures within unincorporated San Bernardino County; by preserving and protecting the County's important agricultural, cultural, natural, open space and scenic resources; and by protecting and promoting the public health, safety, comfort, convenience, prosperity, and general welfare of residents and businesses in the County. The County Code is referenced throughout this EIR to establish the Project's baseline requirements according to County Code regulations.

The County Code can be accessed online at:

- <https://codelibrary.amlegal.com/codes/sanbernardino/latest/overview>

Fontana Forward General Plan. The City adopted the Fontana Forward General Plan in 2003 and the Plan was updated in 2018. The sixteen chapters or "elements" provide a summary of existing conditions and current trends, the planning process, and goals, policies and actions for many different topic areas that will affect the physical and economic development of the City over the next twenty years.

- The Community and Neighborhood (CN) Element focuses on attributes that contribute to the form, character and quality of life in the communities and neighborhoods where people live.
- The Housing (H) Element provides a summary of the State-approved 2014-2021 Housing Element, prepared according to State requirements and on the State timetable.
- The Building a Healthier Fontana (BHF) element identifies a shared vision and set of values for addressing health and wellness within Fontana, including goals for the future physical development that will result in a healthier city.
- The Conservation, Open Space, Parks and Trails (COPT) Element describes measures for the preservation of open space for the protection of natural resources, and for public health and safety.

- The Public and Community Services Department (PCS) Element focuses on three important aspects of municipal service provision: public safety, public facilities, and the many services provided by the Community Services department.
- The Community Mobility and Circulation Element (CMC) expands the options for transit and “active transportation” (pedestrian and bicycle mobility) for Fontana. It is aligned with the Southern California Association of Governments (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal) concepts of Neighborhood Mobility Areas and Livable Corridors.
- The Infrastructure and Green Systems (IGS) Element focuses on maintenance of city property, including parks and trails, streets, sewer lines and lift stations, and City buildings; for stormwater management; and for maintaining the City fleet.
- The Noise and Safety (NS) Element’s goal is to combine the Goals and Policies of the Noise and Safety Elements of the 2003 Fontana Forward General Plan into one Noise and Safety Element supported by detailed recent data in the Hazard Mitigation Plan.
- The Sustainability and Resilience (SR) element focuses especially on resource efficiency and planning for climate change.
- The Economy, Education, and Workforce Development (EEWD) element focuses on providing more jobs in Fontana for Fontana residents by promoting a diversified economy that builds on existing businesses and develops, attracts and retains future job-creating sectors.
- The Downtown Area Plan (DTAP) element ensures that new infill development is compatible in scale and character with the existing neighborhood while ensuring that transportation and utility infrastructure keeps pace with the neighborhood character.
- The Land Use, Zoning, and Urban Design (LUZUD) element includes an amended Land Use Plan. The amendments will provide new development opportunities in targets areas and along corridors that can accommodate such development.
- The final element, Stewardship and Implementation (SI), discusses overall stewardship of the plan to keep it useful and current by creating systems and procedures to make sure that the plan is used to guide decision-making and that it is evaluated regularly to see if strategies are working and if it continues to reflect community goals.

The Fontana Forward General Plan was used in this EIR as it relates to the analysis of the project area parcels within the City of Fontana Sphere of Influence since it contains information, policies, and regulations relevant to the Project. This document is available for review on the City’s website at:

<https://www.fontana.org/2632/General-Plan-Update-2015---2035>.

City of Fontana Municipal Code. The Fontana Municipal Code (Municipal Code) establishes detailed zoning districts and regulations based on the Fontana Forward General Plan. The Fontana Zoning and Development Code (Municipal Code Chapter 30) serves as the primary implementation tool for the Fontana Forward General Plan. Whereas the Fontana Forward General Plan is a policy document that sets forth direction for development decisions, the Zoning Code is a regulatory document that establishes specific standards for the use and development of all properties in the City. The Zoning Code regulates

development intensity using a variety of methods, such as setting limits on building setbacks, yard landscaping standards, and building heights. The Zoning Code also indicates which land uses are permitted in the various zones. The Municipal Code includes all of the City's zoning ordinance provisions and has been supplemented over time to include other related procedures such as subdivision regulations, environmental review procedures, and advertising and sign code provisions. Municipal Code regulations and maps must be consistent with the Fontana Forward General Plan land uses, policies, and implementation programs. The Municipal Code is referenced throughout this Draft EIR as it relates to the analysis of the project area parcels within the City of Fontana Sphere of Influence.

Southern California Association of Governments. The Southern California Association of Governments' (SCAG) 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), Connect SoCal, was adopted in September 2020. The RTP/SCS aims to create a long-range vision plan that balances future mobility and housing needs with economic, environmental, and public health goals. The RTP/SCS charts a course for closely integrating land use and transportation – so that the region can grow in accordance with smart and sustainable growth strategies. The 2020-2045 RTP/SCS Final Program EIR (SCH No. 2019011061) addresses the cumulative impact of future development and associated infrastructure improvements for the SCAG region, which includes San Bernardino County.

The SCAG RTP/SCS can be accessed online at:

- <https://scag.ca.gov/read-plan-adopted-final-plan>

The SCAG RTP/SCS Final Program EIR can be accessed online at:

- <https://scag.ca.gov/peir>

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3.0

PROJECT DESCRIPTION

3.0 PROJECT DESCRIPTION

3.1 Purpose

The County of San Bernardino (County), as Lead Agency under the California Environmental Quality Act (CEQA) has prepared this Draft Environmental Impact Report (EIR) for the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project). The purpose of the Project Description is to provide an accurate, stable, and finite description of the Project to allow for meaningful review by local, state, and federal reviewing agencies, decision-makers, and interested parties. CEQA Guidelines §15124 (14 California Code of Regulations [CCR] §15124) requires a project description to contain the following:

1. The precise location and boundaries of the proposed project shown on a detailed map and along with a regional location map;
2. A clearly written statement of the objectives of the proposed project including the underlying purpose of the project and project benefits. The statement of objectives must be detailed enough to allow a Lead Agency the opportunity to develop and evaluate project alternatives;
3. A description of the proposed project's technical, economic, and environmental characteristics along with engineering and public service facilities details; and
4. A statement describing the intended uses of the EIR, including a chronological list of all necessary approvals and a roster of other agencies that may use the document, a list of required permits and approvals, and a list of related consultation and environmental review necessary under local, state, and federal laws, regulations, and policies.

An adequate project description need not be extensive, but it must be sufficient to allow for review and evaluation of the possible environmental impacts of a proposed project.

3.2 Project Overview

The Project encompasses approximately 433 acres of the approximately 522-acre site that is currently developed with the Auto Club Speedway (ACS), formerly known as the California Speedway, in the County. The Project proposes conceptual land uses that include, but are not limited to, up to approximately 6.6 million square feet (sf) of high-cube logistics and e-commerce uses, 261,360 sf of ancillary commercial uses, and approximately 98 acres of parking fields/drop lot areas, as well as ancillary open space to support the Project development. The Project site would also be developed with greenbelts, public roads, other support amenity features, and water detention areas. Certain off-site circulation improvements would also potentially be constructed, as identified in the Traffic Study in **Appendix L**. The Project would surround the separate Next Gen in California Project (further details are discussed in **Section 3.3: Project Background**), which was approved by the County on June 7, 2021. Construction of the Project, including recordation of final subdivision map(s) and design review may be progressively implemented in stages, provided that vehicular access, public facilities, and infrastructure are constructed to adequately service the development, or as needed for public health and safety. However, the actual phasing sequence and timeframe for development may vary depending on market conditions.

The Project entitlements include approval of the SCCIISP, a Tentative Parcel Map (TPM), and Development Agreement. A Revision to an Approved Action would also be required to amend the existing Planned Development (PD) Permit for the ACS to remove from its coverage approximately 433 acres of the ACS site that would be governed by the new SCCIISP. The SCCIISP would include the development plan identifying the land uses, site access and transit connections, circulation, drainage, water, sewer, and public facilities and services, as well as development standards and permitted land uses for the planning areas within the SCCIISP.

The purpose of this Draft EIR is to review the existing conditions at and in the vicinity of the Project site; identify and analyze the potential environmental impacts of the Project; and recommend feasible mitigation measures or Project alternatives to reduce significant adverse environmental effects, as described in this section and in **Section 6.0: Alternatives**.

3.3 Project Background

The Project site would encompass approximately 433 acres of the approximately 522-acre existing ACS site. The existing ACS is a two-mile oval superspeedway racetrack, owned and operated by California Speedway, LLC. The County originally approved the California Speedway through the approval of the Development Plan Report for the California Speedway and Speedway Business Park (Speedway PD) and adopted the Final Project EIR in 1995 (1995 FEIR; SCH# 1994082080). The existing ACS has been hosting NASCAR races and other motorsports and entertainment events since 1997. The Project would be constructed on 433 acres of the existing site. The remaining approximately 90 acres are not a part of this Project, and plan to be developed as the “Next Gen in California Project” (Next Gen motorsports facility) which was separately approved by the County in June 2021. The Next Gen motorsports facility will continue to host the same type of events hosted by the ACS, on a smaller racetrack surface for more competitive racing and a more intimate experience for race fans.

Historical Background

The Project site is located within the former boundaries of the Kaiser Steel Mill, which was originally located on approximately 1,200 acres in the County. The Kaiser Steel Mill was owned and operated by the Kaiser Steel Corporation from approximately 1942 to 1983. The steel mill was an integrated steel production plant producing steel plates for the Pacific Coast shipbuilding industry during World War II. After World War II, Kaiser initiated a series of expansions to supply a wider range of products, including everything from steel plates and pipe to structural shapes, as well as tin plates for cans. By the late 1970s, the steel mill was the biggest integrated steel mill on the West Coast. By 1983, the facility closed, portions of the property were sold or transferred, and Kaiser Steel entered bankruptcy, re-emerging in 1988 as Kaiser Steel Resources, Inc.

Historically, the Kaiser Steel Mill and related industries in the west Fontana area were considered an industrial preserve of the County. As such, those properties were not allowed to be included in the spheres of influence (SOI) of the surrounding cities (Fontana, Ontario, and Rancho Cucamonga) and were not allowed to participate in the annexation programs of those cities. Additionally, the lands north of Interstate 10 (I-10) in the west Fontana area have historically been used for industrial purposes and industrial use of those lands is expected to continue into the future.

At that time, the need for public facilities and services in the area was recognized. When Kaiser Steel was operating, its facilities were self-served, as Kaiser provided its own sewer, fire protection, water, security, and trash collection. Due to the change in historical conditions and in order to facilitate service planning, the Local Agency Formation Commission (LAFCO) eventually included the areas south and west of Fontana in the SOI of the City of Fontana. LAFCO Resolution No. 2059, approving the SOI expansion for the City of Fontana, specifically stated that, *“The remainder of the sphere area north of the freeway will remain in heavy industrial uses for the foreseeable future.”* Resolution No. 2059 also provided that, *“Upon landowner request and appropriate financing, the City of Fontana could extend the full range of its services into the study area.”*

The Kaiser Steel Mill and Hazardous Materials

The Kaiser Steel Mill operated for approximately 41 years from 1942 to 1983. An environmental assessment was prepared for the property in 1985, after hazardous waste was identified on the property in 1983 during demolition activities. The environmental assessments of the property conducted from 1985 to 1989 identified 32 points of potential environmental concern on the property. A remediation plan was prepared to address the removal and/or treatment of hazardous waste materials associated with the former Kaiser Steel Mill site under the direction of the Department of Toxic Substances Control (DTSC).

See **Section 4.9: Hazards and Hazardous Materials** for further discussion.

Existing Uses and Entitlements

On May 2, 1995, the County Board of Supervisors certified the Final EIR and approved the Speedway PD. The Speedway PD was intended to “create a major motorsports facility,” and authorized in pertinent part a two mile oval race track with grandstand seating, infield facilities with a pit area, infield suites, auxiliary garages, a fuel island, a training road course, gatehouses, ticket offices, VIP suites, administration and maintenance buildings, two helipads, a race control tower, scoring pylons, internal billboards, a kitchen/commissary facility, first aid stations, a retail midway, gift shops, restrooms, concessions, parking spaces, and paved access from Cherry, Whittram, and Etiwanda Avenues bordering the property. The Speedway PD also authorized a business park totaling up to 875,000 sf of building area. The original Speedway PD contemplated up to six premier race weeks per year, with up to 107,000 spectators in attendance for major racing events.

The 1995 Final EIR evaluated construction over five phases. Not all of the project components were ultimately built and not all of the constructed components were built in the originally planned configuration. Beginning in 2001 and prior to the approval of the Next Gen motorsports facility, the Speedway PD went through twelve “revisions” that were approved by the County Board of Supervisors or their designee; these revisions primarily focused on the permitted racing operations and configuration of the oval racetrack and ancillary racing facilities. In connection with these revisions, the County approved an Addendum to the 1995 FEIR in 2003 and certified a Subsequent EIR in 2010.

The Next Gen in California Project

In 2020, California Speedway, LLC applied to the County for a Major Revision to an Approved Action to replace the existing two-mile track with a 0.5-mile short track and reduce seating capacity to a maximum capacity of 50,000 persons with approximately 35,000 grandstands seats.

The Next Gen in California Project included the development of the 0.5-mile track and support facilities (i.e., modified entrance gates, paddock, garages, restrooms, concession stands, etc.) on approximately 90 acres of the approximately 522-acre site along with parking, entrance, and landscaping improvements. The Next Gen in California Project would retain a portion of the existing grandstands and certain support facilities, including food service/concession areas, offices, suites, and entrance gates. The Next Gen in California Project was intended to facilitate more competitive “short track” racing favored by race fans and broadcast partners and to provide a more intimate venue with upgraded amenities and an enhanced fan experience. An Addendum (2020 Addendum) to the 1995 Final EIR and 2010 SEIR was prepared for the Next Gen in California Project.

The Addendum concluded that the Next Gen in California Project would not cause any new significant impacts or an increase in the severity of previously identified impacts set forth in the prior environmental review documents for the Speedway. The County Staff approved the track modification proposal and the 2020 Addendum on December 7, 2020 and filed the Notice of Determination (NOD) on December 10, 2020.

In May 2021, California Speedway, LLC applied to the County for a subsequent Revision to an Approved Action, requesting to revise the approved Next Gen in California Project to replace the existing two-mile oval track with a new 0.67-mile track, in lieu of the previously approved 0.5-mile short track. This change was based on track design requirements for racing following extensive simulator testing of the previous short track design following approval of the Next Gen in California Project. This change to the configuration of the new short track required some additional changes to the construction and demolition previously approved for the Next Gen in California Project, although its operational characteristics were unchanged.

An Addendum for the revised Next Gen in California Project was prepared in June 2021 to ensure consistency with the 2020 Addendum and the prior environmental review documents for the Speedway, to demonstrate that no new significant impacts or substantial increase in the severity of previously identified impacts would occur. The County approved the revised Next Gen in California Project on June 7, 2021 and filed the NOD on June 9, 2021.

The Next Gen in California Project has received all necessary approvals and CEQA clearance for its construction and operation, and it is not part of the SCCIISP Project. However, the SCCIISP Project will be designed and developed to be compatible with the Next Gen in California Project, including accommodating ongoing Next Gen in California Project events on designated days and allowing parking for permitted uses.

3.4 Project Location

The Project site is in an unincorporated area of Southwestern San Bernardino County and within the City of Fontana SOI. The Project site is approximately 40 miles east of downtown Los Angeles, 20 miles west of downtown San Bernardino, and 30 miles northeast of central Orange County (see **Figure 3-1: Regional Location Map**). As described in **Section 3.3: Project Background**, the Project site is approximately 433 acres and is located north of the San Bernardino Freeway (I-10) and San Bernardino Avenue and is bounded by Cherry Avenue to the east, an active freight and passenger rail line to the north, the West Valley Materials Recycling Facility to the west, and California Steel Industries to the south. The City of Fontana is located to the north, east, and south of the site. The City of Rancho Cucamonga is located to the west and northwest and the City of Ontario is located to the southwest, as shown in **Figure 3-2: Project Location Map**. The Project would surround the future Next Gen motorsports facility generally on three sides.

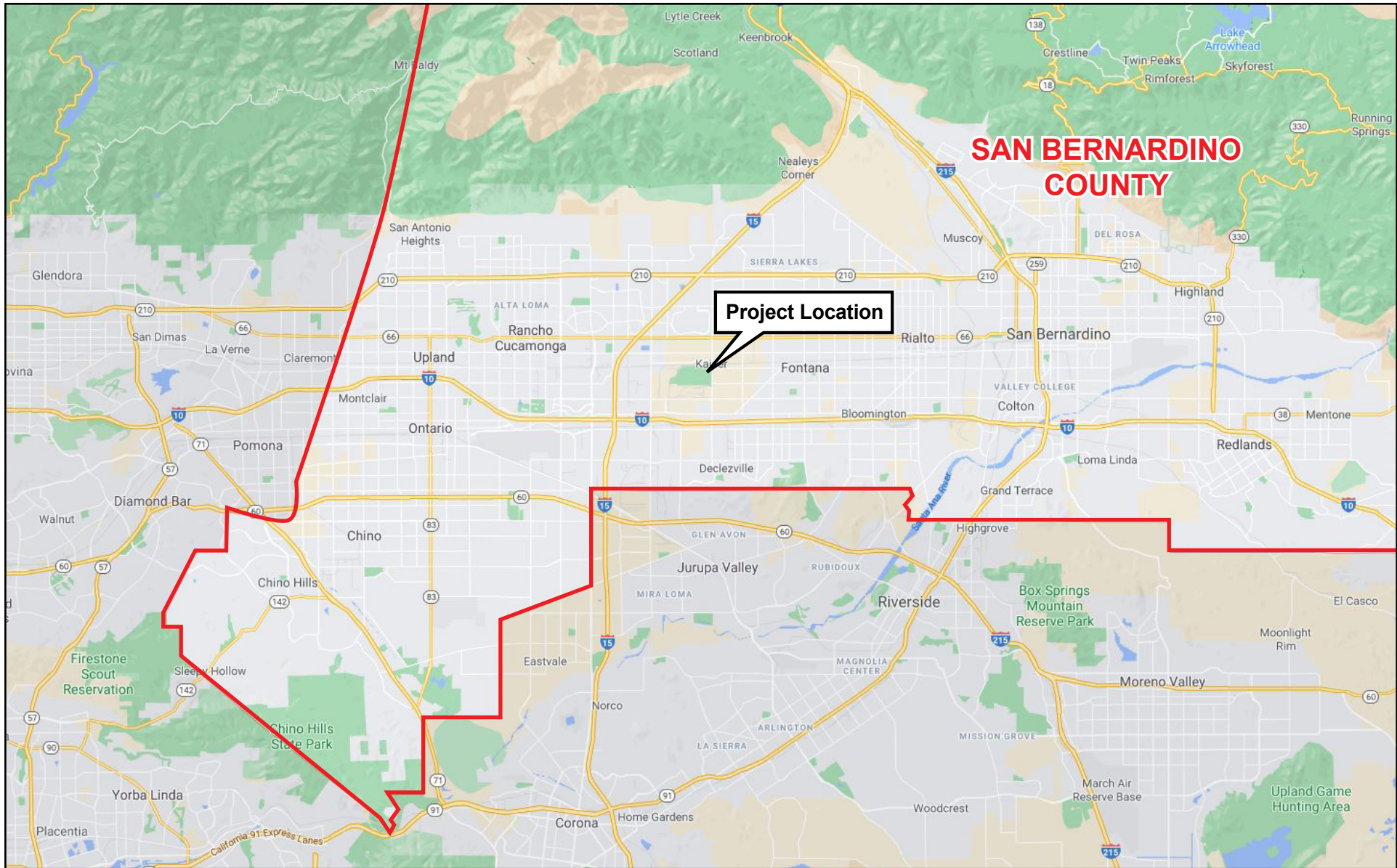
Regional Planning Context

The Southern California Association of Governments (SCAG) is the nation's largest metropolitan planning organization (MPO), representing six counties, 191 cities and more than 19 million residents. SCAG is currently the MPO of six of the ten counties in southern California, serving Imperial County, Los Angeles County, Orange County, Riverside County, San Bernardino County, and Ventura County.

The SCAG Regional Council adopted the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020 RTP/SCS or Connect SoCal) on September 3, 2020. The 2020 RTP/SCS includes goals and policies applicable to transportation and land use projects. The Project's consistency with the 2020 RTP/SCS goals and policies are discussed in **Section 4.3: Air Quality**, **Section 4.17: Transportation**, and briefly in **Section 4.11: Land Use and Planning**.

The County is within the South Coast Air Basin (SCAB) which is under South Coast Air Quality Management District (SCAQMD) jurisdiction. The SCAB includes portions of San Bernardino County, Los Angeles County, and Riverside County, and the entirety of Orange County. SCAQMD is the entity responsible for mitigating emissions from stationary, mobile, and indirect sources. SCAQMD utilizes a sequence of Air Quality Management Plans (AQMPs) that contain rules and regulations directed at attaining the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQA). Refer to the proposed AQMP discussion within **Section 4.3: Air Quality**.

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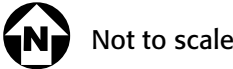


Legend

County Boundary

Source: Google Maps

FIGURE 3-1: Regional Location Map
 Speedway Commerce Center II
 County of San Bernardino



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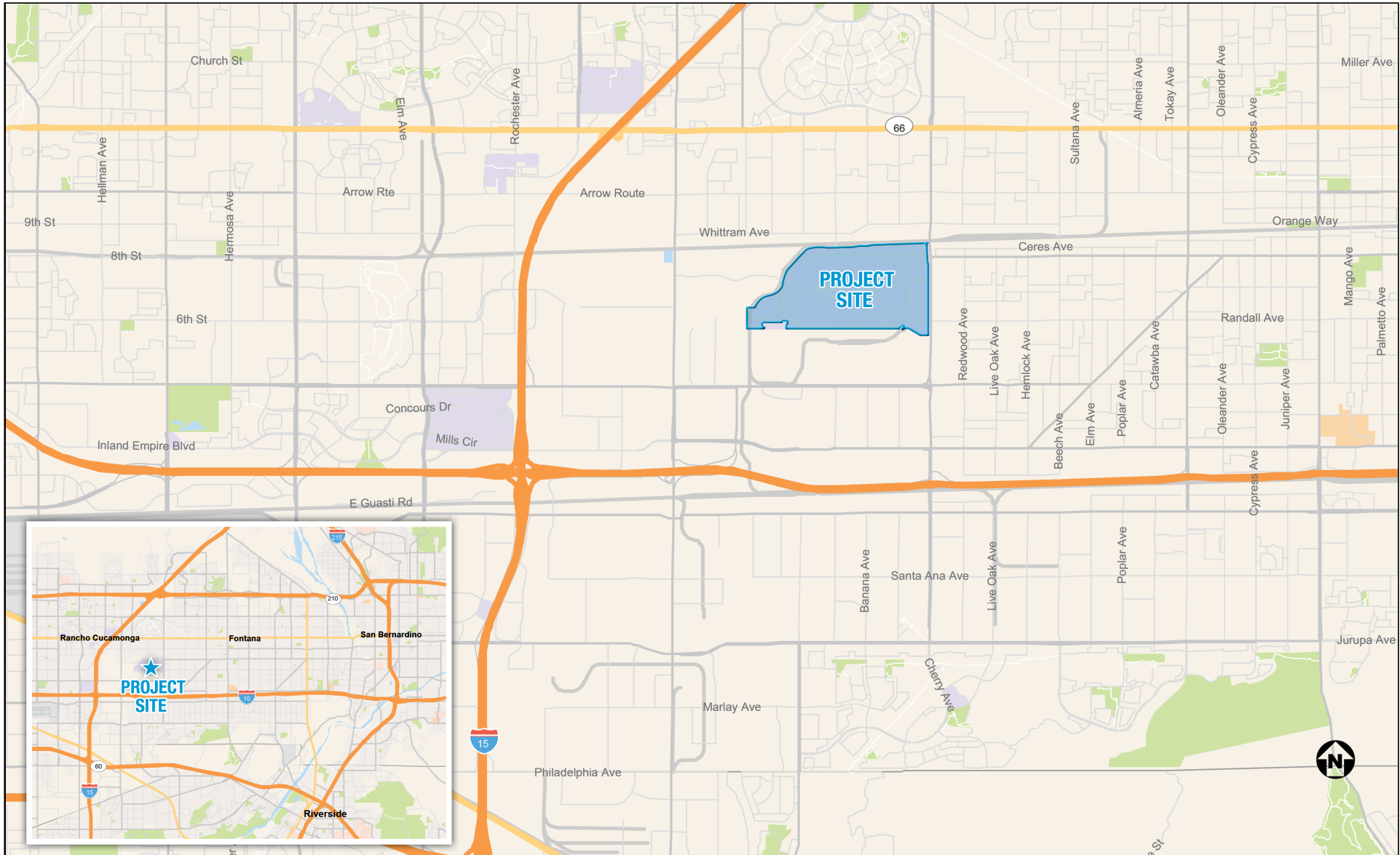
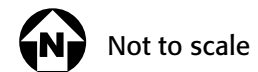


FIGURE 3-2: Project Location Map
 Speedway Commerce Center II
 County of San Bernardino



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3.5 Project Setting

The following provides an overview of the existing physical and environmental conditions of the Project site. Additional details are provided within the respective sections of the Draft EIR.

Existing Land Uses

The majority of the site is currently developed with improvements related to the existing ACS. The Project site is developed with a two-mile, D-shaped, oval track with three pit garages, viewing suites, access ways, and associated facilities in the center. A grandstand with approximately 65,383 seats is located south of the oval. A midway with restaurants, entertainment, and display facilities is located south of the grandstand. The facility also has a motorcycle track, drag strip, and exterior go-kart track. In addition to grandstand seating, there are 6,000 permanent seats and 1,500 temporary bleacher seats in the infield road course and 1,500 temporary bleacher seats by the drag strip. Other ancillary buildings associated with the event center are also located on-site including a race control tower, administration buildings, maintenance building, helipads, fueling islands, and overhead and underground utility infrastructure. Surface parking lots for 36,866 vehicles are located at the infield of the track and around the periphery of the site. Primary access is via Cherry Avenue, San Bernardino Avenue, and Napa Street.

The Project site is surrounded by railroad infrastructure immediately north of the Project site as well as truck/trailer storage warehousing, manufacturing, offices, and single-family residential units. Service garage, light industrial, and office land uses are present immediately south of the Project site. Warehousing, truck leasing, automotive dealers, and single-family residential units are located east of the Project site. Finally, warehousing, distribution, and logistics land uses as well as the San Sevaïne Channel are located west of the Project site. Additional details shown below in **Table 3-1: Land Uses**.

Table 3-1: Land Uses

Location	County Land Use Category/Zoning District	Existing Land Use
Project Site	C-Commercial/SD-COM-Special Development-Commercial	Two-mile, D-shaped, oval track, with three pit garages, viewing suites, access ways, and associated facilities in the center
North	GI-General Industrial/IR-Regional Industrial	An active freight and passenger rail line Truck/Trailer Storage Warehousing, Manufacturing, Offices Single Family Residential Units
	LI-Limited Industrial/IC-Community Industrial	
South	GI-General Industrial/IR-Regional Industrial	Service Garage Light Industrial Office
East	Commercial/SD-COM-Special Development-Commercial	Warehousing Truck Leasing and Dealer Single Family Residential Units
	LDR-Low Density Residential/RS-Single Residential	
West	IR – Regional Industrial/GI-General Industrial	Warehousing, Distribution, and Logistics San Sevaïne Channel
	KC/SP – Kaiser Center Specific Plan	

Source: Public San Bernardino County Parcel Viewer.
<https://www.arcgis.com/apps/webappviewer/index.html?id=87e70bb9b6994559ba7512792588d57a> (accessed July 27, 2021)

Existing General Plan Designations and Zoning Districts

The County approved and adopted an updated General Plan, referred to as the Countywide Plan, in October 2020. Under the new Countywide Plan, the County approved the transition to a two-map system. The Project site is located in the Policy Plan Commercial (C) Land Use Category and in the Special Development - Commercial (SD-COM) Zoning Designation. In addition, the site is also located in the City of Fontana's General Industrial (I-G) General Plan Land Use District and in the General Industrial (M-2) Zoning District.

The California Government Code (CGC) (Title 7, Division 1, Chapter 3, Article 8, §§ 65450–65457) permits adoption and administration of specific plans as an implementation tool for the local general plan. Specific plans must demonstrate consistency in regulations, guidelines, and programs with the goals and policies set forth in the general plan.

The Project has been prepared in conformance with the goals and policies of the County's Countywide Plan, in providing a commercial/high-cube logistics/e-commerce use on an underutilized property, creating new employment opportunities, and providing regulations through the Specific Plan as an implementation tool that would support the success of an employment area of the County. The Project would approve the Specific Plan for the property to allow for the development of up to approximately 6.6 million sf of high-cube logistics/e-commerce uses, approximately 261,360 sf of ancillary commercial uses, and approximately 98 acres of parking fields/drop lot areas as well as ancillary open space to support the Project development.

Environmental Setting

Topography

The overall site generally drains to the south and west with approximate surface elevations of 1090 feet at the southwest corner of the site to 1170 feet at the northeast corner of the site.¹ The majority of the Project site consists of urban/developed uses, which include human disturbance associated with the existing ACS use. The Project site includes driveways, landscaping, buildings, and structures, pavement, and concrete.

The site is located in the upper portion of the alluvial-filled Santa Ana River Valley on younger alluvium deposited by the Deer, Day, East Etiwanda, and Cajon creeks. The alluvium is estimated to be approximately 900 feet thick.

Biology

A Biological Resources Assessment (BRA) and Jurisdictional Waters Evaluation was prepared for the Project by ELMT Consulting, Inc. (December 2021). The BRA is included as **Appendix D**. As a part of the BRA prepared for the Project, species and habitat information was gathered from relevant databases for the *Guasti*, *Fontana*, *Cucamonga Peak*, and *Devore* USGS 7.5-minute quadrangles to determine which species and/or habitats would be expected to occur on-site. The literature search identified 55 special-status plant species and 75 special-status wildlife species, and five special-status plant communities as

¹ Kleinfelder. 2021. *Preliminary Report of Geotechnical Study*. Page 5.

having the potential to occur within the *Guasti*, *Fontana*, *Cucamonga Peak*, and *Devore* quadrangles. Based on habitat requirements for specific species, the availability and quality of on-site habitats, and isolation of the Project site from suitable habitats, it was determined that the Project site has a potential to support the following species that are found regionally:

- Cooper's hawk (*Accipiter cooperii*), a California Department of Fish and Wildlife (CDFW) Watch List Species, high potential to support
- Sharp-shinned hawk (*Accipiter striatus*), a CDFW Watch List Species, high potential to support
- Great egret (*Ardea alba*), present on-site
- California horned lark (*Eremophila alpestris actia*), a CDFW Watch List Species, high potential to support
- California gull (*Larus californicus*), a CDFW Watch List Species, high potential to support
- great blue heron (*Ardea herodias*), a California Department of Forestry and Fire Protection (CDF) sensitive species and an International Union for Conservation of Nature (IUCN) least concern species, a moderate potential to support
- burrowing owl (*Athene cunicularia*), a CDFW Species of Special Concern, low potential to support
- snowy egret (*Egretta thula*), an IUCN least concern species, low potential to support.

None of the aforementioned special-status wildlife species are federally or state listed as endangered or threatened.

Based on the results of the field investigation, no special-status plant communities were observed on-site. Therefore, no special-status plant communities would be impacted by Project implementation.

The Project would modify an existing basin outlet structure to convert the existing detention basin to an infiltration basin to address stormwater flows and treat for stormwater quality. The modifications to the outlet structure would be contained within the footprint of the existing concrete apron and outlet structure and would not impact areas outside the existing concrete footprint area. No impacts to jurisdictional waters would occur based on the limits of the improvements and therefore no regulatory permits are necessary. If modifications to the basin or outlet structure extend beyond the existing concrete apron and outlet structure, a regulatory permit application would be submitted to the appropriate regulatory agencies to determine if further regulatory approvals would be required prior to the modification of the outlet structure. Refer to **Section 4.4: Biological Resources**, for further discussion.

Hydrology

The Project site is located within the Santa Ana River Watershed. San Sevaine Channel is located to the west of the Project site, where stormwater from the site is discharged. The U.S. Fish and Wildlife Service National Wetlands Inventory (NWI) classifies San Sevaine Channel as Riverine. According to the Geotechnical Investigation conducted for the Project (**Appendix G**), groundwater was not encountered during the investigation. However, perched groundwater was encountered in boring KLF-4 at approximately 5½ feet below ground surface (bgs), KLF-12 at approximately 43 feet bgs, and KLF-13 at approximately 48 feet bgs. Based on research of the general area, groundwater is anticipated to be greater

than 400 feet bgs and is not expected to impact Project development. Refer to **Section 4.10: Hydrology and Water Quality**, for further discussion.

Seismic Conditions

The Project site is in an area that is subject to ground motions due to earthquakes as is all of southern California; however, the Project is not located within a known fault zone. The nearest fault zone to the Project site is the Fontana (Seismicity) fault located approximately 0.5 mile to the southeast of the site. Other nearby major fault sources include the Cucamonga Fault, the San Jacinto (Lytle Creek connector) Fault, the San Jacinto Fault Zone, and the South San Andreas Fault Zone.² The Project site is outside of an Alquist-Priolo Earthquake fault zone which is approximately 4.2 miles north of the site.

Flood Zone Information

According to the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program's Flood Insurance Rate Maps (FIRM) (Map No. 06071C8634J, rev. September 26, 2014 and Map No. 06071C8653J, rev. September 2, 2016), the majority of the Project site lies within FEMA Flood Zone X (shaded). Land designated as Zone X (shaded) are moderate flood hazard areas and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood.³ A project located within Zone X (shaded) would require the first floor to be elevated a minimum of one foot above the natural highest adjacent ground in compliance with County regulations.⁴ Outer portions of the Project site are located within Zone X (unshaded). Land designated as Zone X (unshaded) are areas of minimal flood hazard, which are areas outside the Special Flood Hazard Area and higher than the elevation of the 0.2-percent-annual-chance flood.⁵

Hazards and Hazardous Materials

The Project site was previously developed for agricultural uses from the mid-1920s to the mid-1950s. In the mid-1940s, structures for the Kaiser Steel Mill facility were developed and the Mill operated for approximately 41 years until 1983. Hazardous materials were identified on the former Kaiser Steel Mill property at the time of the plant's decommission and deconstruction in 1983. Further environmental assessments of the former Kaiser Steel Mill property conducted from 1985 to 1989 identified 32 points of potential environmental concern on the property. Of the 32 points of concern, 12 areas were determined to require no further action and 20 areas were recommended for further remedial investigation. After the remedial investigation of the 20 areas, three areas were found to require additional investigation and remediation. Refer to **Section 4.9: Hazards and Hazardous Materials**, for further discussion.

² Kleinfelder. 2021. Preliminary Report of Geotechnical Study Proposed Speedway Commerce Center II, County of San Bernardino, California. Page 156.

³ FEMA. 2020. *Flood Zones*. <https://www.fema.gov/glossary/flood-zones> (accessed May 2022).

⁴ San Bernardino County. 2021. *Land Use Services*. <https://cms.sbcounty.gov/lus/LandDevelopment/FrequentlyAskedQuestions.aspx> (accessed April 2022).

⁵ FEMA. 2020. *Flood Zones*. <https://www.fema.gov/glossary/flood-zones> (accessed May 2022).

Infrastructure and Utilities

Circulation

The Project site currently has access at Merrill Avenue, Rancho Vista Drive, and Randall Avenue off of Cherry Avenue on the site's eastern edge, and Napa Street and VIP Access Road on the site's southwestern edge. The access at Merrill Avenue and Randall Avenue is signalized. Internal circulation currently includes Perimeter Road, Calabash Avenue, Back Straight Road, VIP Access Road, Entry Road, and Rancho Vista Drive.

Transit/Rail

Metrolink is a commuter rail system serving the southern California region including Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties, as well as to the City of Oceanside in northern San Diego County. Metrolink has an existing rail line adjacent to the Project site's northern boundary. Metrolink has partnered with ACS in the past to provide train service to the ACS for race events at a specially constructed station. The train service was a joint demonstration project partially funded by Clean Transportation Funding from the Mobile Source Air Pollution Reduction Review Committee and at the present time is not available beyond these parameters.

In addition, there is an existing privately owned rail spur located outside and along the Project's southern and southwestern boundary, and is utilized by Union Pacific Railroad (UPRR) and BNSF Railway to serve uses located south of the Project site. An existing railroad easement is present outside and along the west of the Project boundary and an active freight and passenger rail line run along the northern boundary of the Project site and serves Metrolink and BNSF.

Utilities

There are currently 29 existing wood and Light Weight Steel (LWS) poles containing 66kv and 12kv overhead Southern California Edison (SCE) transmission, distribution, and communications powerlines generally located north of the existing two-mile oval track and along Back Straight Road. These powerlines extend east to west through the northern portion of the site.

The site is currently served with electric power through electricity distribution lines that are both aboveground and buried.

A 12-foot 8-inch diameter Metropolitan Water District water supply line is located on-site.

Storm Drainage

The existing drainage pattern for the Project site and the general area is characterized by sheet flow. Under existing conditions, the Project site naturally drains from the northeast to the southwest. An open stormwater channel exists on the south side of the site. This channel intercepts all runoff within the Project site, and outlets into the existing drainage basin located at the southwest corner of the site. All off-site flows are intercepted by Cherry Avenue to the east and the existing San Sevaine Channel to the west of the site. Flows originate at the northeast corner of the Project site and traverse through the site

via a storm drain network, picking up flows from remaining on-site areas, and are ultimately conveyed to the existing San Sevaine channel located southwesterly of the site.

3.6 Proposed Project

As previously stated in **Section 3.2: Project Overview**, the Project encompasses approximately 433 acres of the approximately 522-acre existing ACS site located in the County. The Project site would consist of up to approximately 6.6 million sf of high-cube logistics and e-commerce uses with 261,360 sf of ancillary commercial uses, and approximately 98 acres of parking fields/drop lot areas as well as ancillary open space. The Project site would also be developed with greenbelts, public roads, other support amenity features, and water detention areas (see **Figure 3-3: Conceptual Land Use Plan** and **Table 3-2: Proposed Land Use**).

Figure 3-3: Conceptual Land Use Plan and **Figure 3-4: Conceptual Site Plan**, provide the overall vision for the Project and guides the development of the anticipated high-cube logistics, e-commerce, ancillary commercial uses, parking fields/drop lots, and open space.

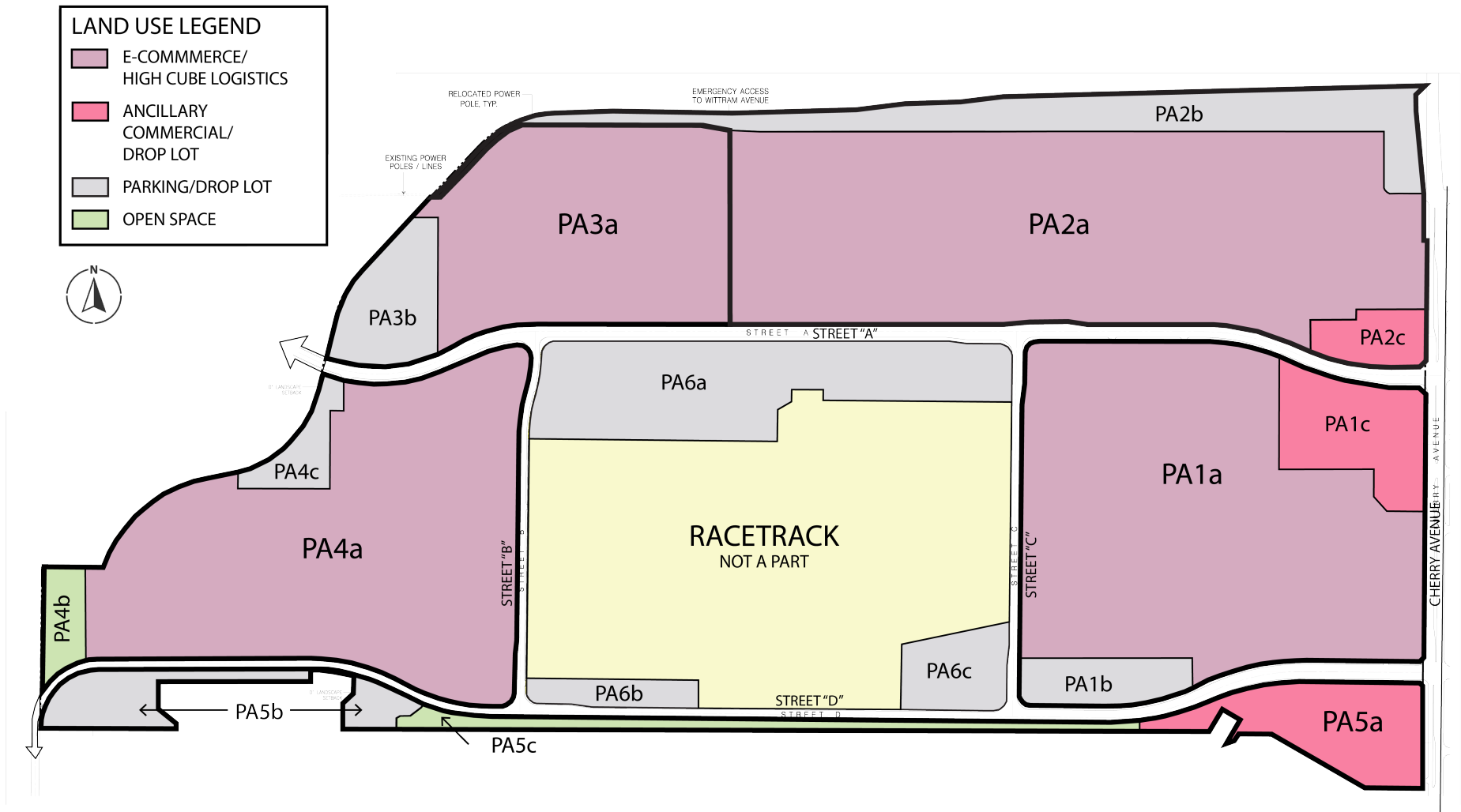
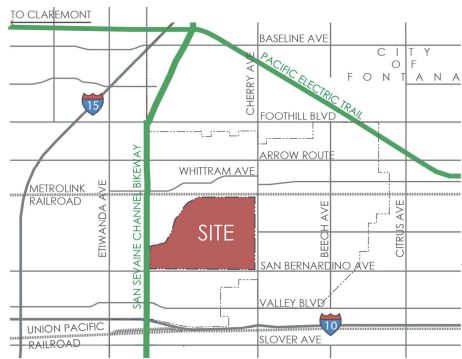


FIGURE 3-3: Conceptual Land Use Plan
 Speedway Commerce Center II
 County of San Bernardino

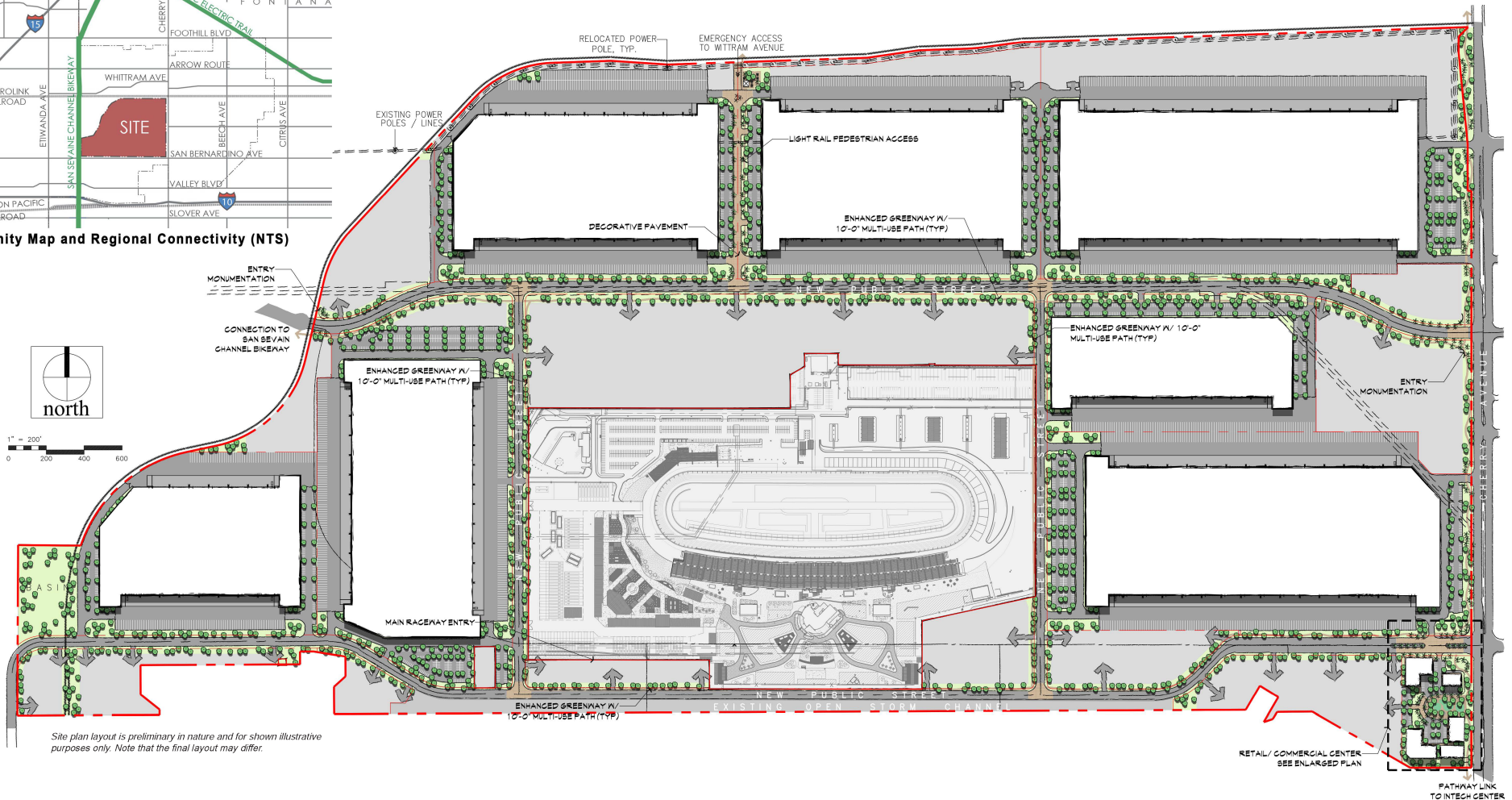


Not to scale

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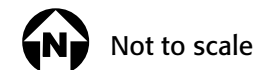


Vicinity Map and Regional Connectivity (NTS)



Source: HPA Architecture, Inc., 2021

FIGURE 3-4: Conceptual Site Plan
 Speedway Commerce Center II
 County of San Bernardino



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Table 3-2: Proposed Land Use

Land Use	Speedway Commerce	Planning Area(s)
E-commerce/High-cube Logistics	280.3 acres/ up to approximately 6.6 million sf	PA 1a, PA 2a, PA 3a and PA 4a
Ancillary Commercial (with Drop Lot)	Approximately 27.1 ¹ acres/261,360 sf	PA 5a, PA 1c, PA 2c
Parking Fields/Drop Lot	Approximately 82.5 acres	PA 1b, PA 2b, PA 3b, PA 4c, PA 5b, PA 6a, PA 6b, PA 6c
Open Space	Approximately 9.4 acres	PA 4b and PA 5c
Public Right-of-Way	Approximately 33.7 acres	NA
Total	433 acres	NA
Source: Kimley-Horn. 2022. <i>Speedway Commerce Center II Specific Plan</i> . Table 3-1: Land Use.		
1. Includes approximately 23.5 acres of parking fields/drop lot. Total potential parking fields/drop lot areas is approximately 98 acres.		

Development Plan

The development plan has been derived from studies prepared by civil engineers, traffic engineers, land planners, landscape architects, and other consultants. Consultation with County staff has guided the content and character of the development plan.

Development of the plan would occur in phases, including recordation of final subdivision map(s) and design review, as described in this section, and depending on market conditions as described in **Section 3.2: Project Overview**. Development responsibilities within the Specific Plan would be as follows:

Master Developer – The Master Developer is responsible for grading and design features related to infrastructure serving more than one parcel, Mitigation Measures affecting more than one parcel and Conditions of Approval affecting more than one parcel. Examples would be Project-wide grading, Project perimeter walls, fencing and gates, streets, wayfinding signage and backbone utility facilities serving more than one parcel.

Site Developer(s) – The Site Developer(s) is responsible for grading on each individual parcel being developed by Site Developer(s), design features related to improvements (including infrastructure improvements) located on each parcel being developed by Site Developer(s), Mitigation Measures affecting each parcel being developed by Site Developer(s) and Conditions of Approval affecting each parcel being developed by Site Developer(s). Examples would be grading on each such parcel, in addition to walls, fences and gates, utility facilities and signage located on each such parcel, utility facilities and signage located on each such parcel.

Operational responsibilities within the Specific Plan would be that of the Owner and tenant/facility operator. Examples of operational responsibilities include ensuring that all heavy-duty vehicles registered in California entering or operated on the Project site shall be model year 2010 emissions equivalent or later; maintenance of records on fleet equipment; and requiring that all heavy-duty trucks entering or operated on the Project site to be zero-emissions beginning in 2030, if such trucks are widely available and economically feasible.

Land Use Plan

The Project site is divided into six planning areas comprised of 28 parcels (26 numbered and 2 lettered). Planning Area 1 is designated for high-cube logistics/e-commerce uses, ancillary commercial, and parking fields/drop lots; Planning Area 2 is designated for high-cube logistics/e-commerce uses, ancillary commercial, and parking fields/drop lots; Planning Area 3 is designated for high-cube logistics/e-commerce uses and parking fields/drop lots; Planning Area 4 is designated for high-cube logistics/e-commerce uses, open space/drainage basin, and parking fields/drop lots; Planning Area 5 is designated for a mixture of parking fields, ancillary commercial uses, and open space; and Planning Area 6 is designated for parking fields/drop lots, as depicted in **Table 3-3: Land Use Plan** and **Figure 3-3: Conceptual Land Use Plan**.

Planning Area 1 is proposed to be developed with approximately 93.5 acres of e-commerce/high-cube logistics buildings along with supporting ancillary commercial and parking, as follows:

- PA 1a – Approximately 77 acres of high-cube logistics/e-commerce
- PA 1b – Approximately 5.6 acres of parking fields/drop lots
- PA 1c – Approximately 10.9 acres of ancillary commercial/drop lots

Planning Area 2 would include the development of approximately 119.3 acres of high-cube logistics/e-commerce in addition to parking and supporting ancillary commercial, as follows:

- PA 2a – Approximately 93.6 acres of high-cube logistics/e-commerce
- PA 2b – Approximately 21.6 acres of parking fields/drop lots
- PA 2c – Approximately 4.1 acres of ancillary commercial/drop lots

Planning Area 3 would include the development of approximately 48.9 acres of logistics/e-commerce uses and parking, as follows:

- PA 3a – Approximately 40.4 acres of high-cube logistics/e-commerce
- PA 3b – Approximately 8.5 acres of parking fields/drop lots

Planning Area 4 would include the development of approximately 76.2 acres of high-cube logistics/e-commerce uses, open space and parking uses as follows:

- PA 4a – Approximately 69.3 acres of high-cube logistics/e-commerce
- PA 4b – Approximately 3.3 acres of open space/drainage basin
- PA 4c – Approximately 3.6 acres of parking fields/drop lots

Planning Area 5 would include the development of approximately 25.6 acres of ancillary commercial uses and parking as follows:

- PA 5a – Approximately 12.1 acres of ancillary commercial
- PA 5b – Approximately 7.4 acres of parking fields/drop lot
- PA 5c – Approximately 6.1 acres of existing open space/storm channel

Planning Area 6 would include the development of approximately 35.8 acres of parking fields/drop lots, as follows:

- PA 6a – Approximately 26.6 acres of parking fields/drop lots
- PA 6b – Approximately 3.3 acres of parking fields/drop lots
- PA 6c – Approximately 5.9 acres of parking fields/drop lots

Table 3-3: Land Use Plan

Planning Area	Land Use	Size (Ac)	Building Area (sf)	Floor Area Ratio (FAR)
Logistics/E-Commerce				
PA 1a	High-cube Logistics/E-Commerce	77	Up to 6,600,000 ¹	0.55
PA 2a	High-cube Logistics/E-Commerce	93.6		
PA 3a	High-cube Logistics/E-Commerce	40.4		
PA 4a	High-cube Logistics/E-Commerce	69.3		
Industrial Subtotal	--	280.3	Up to 6,600,000	.55
Ancillary Commercial (with Drop Lot)				
PA 1c	Ancillary Commercial	10.9	261,360	0.5
PA 2c	Ancillary Commercial	4.1		0.5
PA 5a	Ancillary Commercial	12.1		0.5
Ancillary Commercial Subtotal	--	27.1²	261,360	--
Parking Fields/Drop Lots				
PA 1b	Parking Fields/Drop Lots	5.6	--	--
PA 2b	Parking Fields/Drop Lots	21.6	--	--
PA 3b	Parking Fields/Drop Lots	8.5	--	--
PA 4c	Parking Fields/Drop Lots	3.6	--	--
PA 5b	Parking Fields/Drop Lots	7.4	--	--
PA 6a	Parking Fields/Drop Lots	26.6	--	--
PA 6b	Parking Fields/Drop Lots	3.3	--	--
PA 6c	Parking Fields/Drop Lots	5.9	--	--
Parking Fields/Drop Lots Subtotal	--	82.5	--	--
Open Space				
PA 4b	Open Space/Basin	3.3	--	--
PA 5c	Existing Storm Channel	6.1	--	--
Open Space Subtotal	--	9.4	--	--
Public Right-of-Way	--	33.7	--	--
Total	--	433	Up to 6,600,000 sf High-cube Logistics/E-Commerce 261,360sf Ancillary Commercial	0.55 (max)³

Source: Kimley-Horn. 2022. *Speedway Commerce Center II Specific Plan*. Table 3-1: Land Use.

Planning Area	Land Use	Size (Ac)	Building Area (sf)	Floor Area Ration (FAR)
<ol style="list-style-type: none"> 1. Maximum buildable square footage is calculated for the site as a whole and may be divided up amongst planning areas, not to exceed the identified amount. 2. Includes approximately 23.5 acres of parking fields/drop lot. Total potential parking fields/drop lot area is approximately 98 acres. 3. The maximum Industrial FAR shall not exceed a total of 0.55 of the permitted Industrial and Parking Fields/Drop Lots total acreage within the permitted Planning Areas (approximately 378.3 acres). Maximum FAR may exceed 0.55 FAR within one parcel or PA if parking and other requirements are met or can be accommodated within an adjacent Parking Field/Drop Lot and with a reciprocal parking agreement/shared parking agreement and as long as the total FAR doesn't exceed 0.55 for the SCCIISP or up to 6.6 million s.f. 				

The Conceptual Site Plan, shown in **Figure 3-4: Conceptual Site Plan**, is an illustration of the potential configuration of the Project site, taking the square footage in **Table 3-3: Land Use Plan** into consideration. The final site plan presented for entitlement approval by the County may differ based on final design; however, the square footages outlined in **Table 3-3: Land Use Plan**, above would not be exceeded.

In order to ensure the orderly development of the Project, land use development standards have been created. These specific standards would assist in accommodating the proposed development and provide adequate transitions to neighboring land uses.

In addition to the specific standards, project-wide development standards for the Project have been prepared to complement the standards for each individual Planning Area.

The Specific Plan Planning Areas are outlined below.

Planning Area 1 Focus Area

Planning Area 1 is broken into three subareas (1a, 1b, and 1c). Planning Area 1a permits development of approximately 77 acres with a mixture of high-cube logistics and/or e-commerce uses. Uses assumed for Planning Area 1a include up to 1,827,000 sf of high-cube logistics/e-commerce uses, as well as typical support uses such as break rooms, snack bars, etc. The design and layout of this Planning Area is intended to occur in the first phase of development of the Specific Plan area.

Planning Area 1b is comprised of parking fields/drop lots of approximately 5.6 acres. Planning Area 1c is comprised of potential ancillary commercial and drop lots of approximately 10.9 acres. The ancillary commercial land use would be located along the Cherry Avenue frontage and would provide a potential commercial frontage or “face” of the Project area at Project buildout.

Planning Area 2 Focus Area

Planning Area 2 is broken into three subareas (2a, 2b, and 2c). Planning Area 2a permits development of approximately 93.6 acres with a mixture of high-cube logistics and/or e-commerce uses. Uses assumed for Planning Area 2a include up to 2,277,300 sf of high-cube logistics/e-commerce uses, as well as typical support uses such as break rooms, snack bars, etc. The design and layout of this Planning Area is intended to occur in the first phase of development of the Specific Plan area.

Planning Area 2b is comprised of parking fields/drop lots of approximately 21.6 acres. Planning Area 2c is comprised of potential ancillary commercial and drop lots of approximately 4.1 acres. The ancillary commercial land use would be located along the Cherry Avenue frontage and would provide a potential commercial frontage or “face” of the Project area at Project buildout.

Planning Area 3 Focus Area

Planning Area 3 is broken into two subareas (3a and 3b). Planning Area 3a permits development of approximately 40.4 acres with a mixture of high-cube logistics and/or e-commerce uses. Uses assumed for Planning Area 3a include up to 939,800 sf of high-cube logistics/e-commerce uses, as well as typical support uses such as breakrooms, snack bars, etc. The design and layout of this Planning Area is intended to occur in the first phase of development of the Specific Plan area. Planning Area 3b is comprised of parking fields/drop lots of approximately 8.5 acres.

Planning Area 4 Focus Area

Planning Area 4 is broken into three subareas (4a, 4b, and 4c). Planning Area 4a permits development of approximately 69.3 acres with a mixture of high-cube logistics and/or e-commerce uses. Uses assumed for Planning Area 4a include up to 1,555,800 sf of high-cube logistics/e-commerce uses, as well as typical support uses such as breakrooms, snack bars, etc. The design and layout of this Planning Area is intended to occur in the second phase of development of the Specific Plan area. Planning Area 4b consists of approximately 3.3-acre drainage basin for water quality and detention purposes. Planning Area 4c is comprised of parking fields/drop lots of approximately 3.6 acres.

Planning Area 5 Focus Area

Planning Area 5a is proposed to accommodate ancillary commercial uses which support the high-cube logistics and e-commerce uses on-site. This planning area is comprised of approximately 12.1 acres of the site, with a mixture of parking fields and ancillary commercial uses, with an assumption of a mixture of general retail and food uses. The ancillary commercial land use, a potential option for Planning Areas 1, 2, or 3, is located along the Cherry Avenue frontage and would provide the “face” of the Project area at Project buildout. Planning Area 5 also contains Planning Area 5b (approximately 7.4 acres of parking fields and drop lot uses) and Planning Area 5c (approximately 6.1 acres of open space).

As commercial users are identified, this Planning Area may be further subdivided to provide individual pads for each eventual use. Commercial uses within the Specific Plan area would be flexible depending on market conditions and may contain a variety of commercial uses, including an assumption of general retail and food service uses.

Planning Area 6 Focus Area

Planning Areas 6a, 6b, and 6c are composed of parking fields/drop lot uses surrounding the future Next Gen motorsports facility, which is not a part of the Specific Plan. Collectively these parcels total approximately 35.8 acres.

Circulation Plan

Internal circulation currently includes Perimeter Road, Calabash Avenue, Back Straight Road, VIP Access Road, Entry Road, and Rancho Vista Drive. These internal roads may be eliminated, modified, or enhanced to accommodate vehicle trips anticipated with the Project.

Private drive aisles are proposed to connect individual buildings within the Project site. Drive aisles would be located and sized at the time of review, based on County Code and fire lane requirements.

Internal access and circulation may necessitate a shared access easement shown on a final parcel map or an agreement or covenant recorded prior to building permit issuance.

Vehicular Circulation

Three new public roads and the realignment of the existing private Entry Road (Street “D”), which is connected to San Bernardino Avenue to the south, by the existing private VIP Access Road (on-site and off-site), would be constructed to provide access to the Specific Plan’s land uses and the Next Gen motorsports facility. Public roads would be designed as collectors and have a variable right-of-way width between 50 feet and 122 feet, per County Development Code roadway specifications.

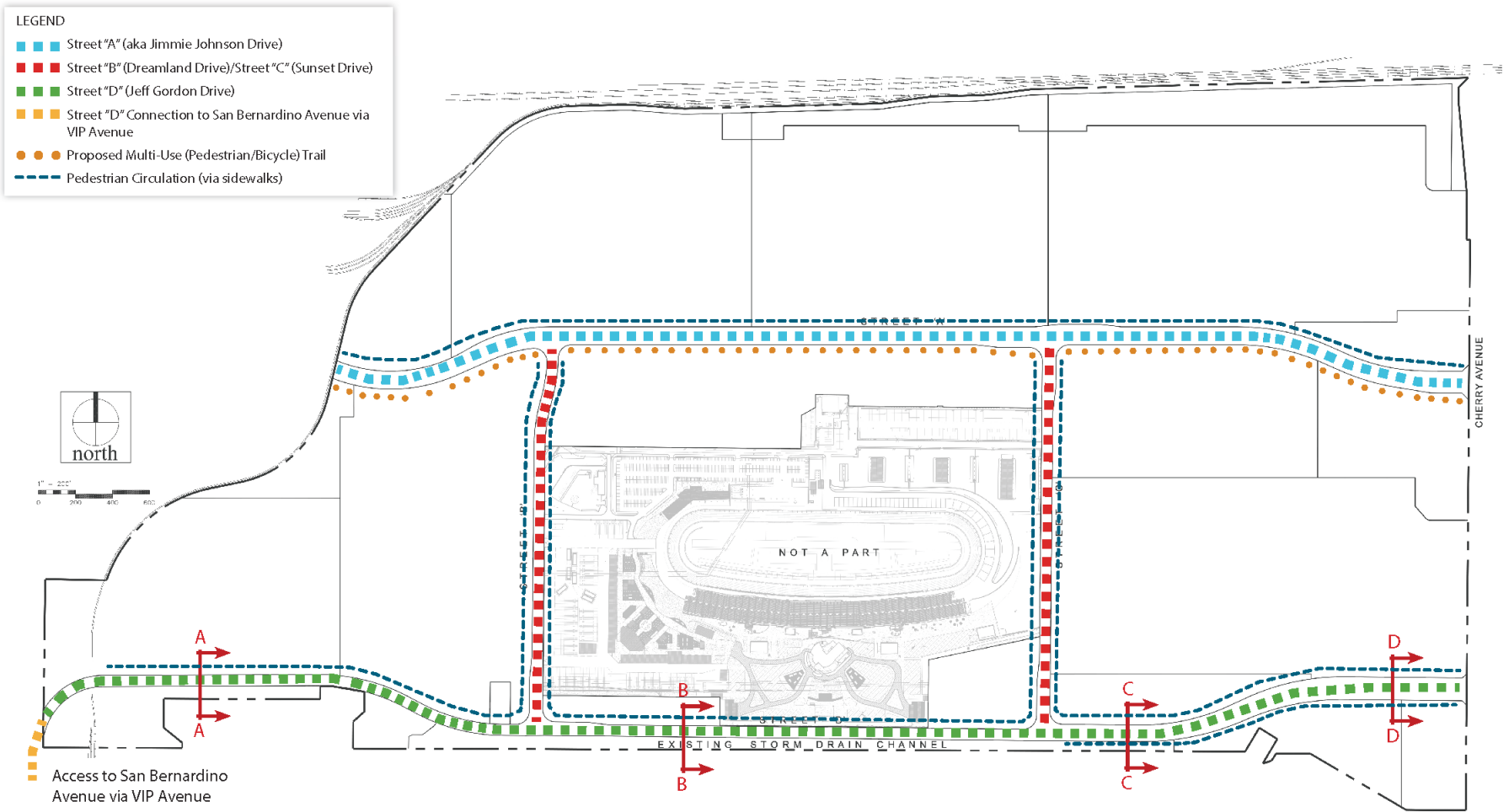
On-site traffic signage and striping would be more specifically defined during the Precise Development Plan process and would be implemented in conjunction with construction documents for the Project.

Improvements proposed as part of the Project are as follows and depicted on **Figure 3-5: Circulation Plan**:

Cherry Avenue – Cherry Avenue is an existing roadway that borders the Project site’s eastern boundary. Cherry Avenue is a Major Divided Highway as indicated on the County’s Circulation Element map. Major Divided Highways consist of a minimum of 120 feet of right-of-way and a 13-foot parkway with minimum 4-foot sidewalks.

Widening of Cherry Avenue entries along the Project frontage would also be done to improve traffic movements at the intersections of Street “A”/Cherry Avenue and Street “D”/Cherry Avenue. No other off-site improvements are planned.

Street “A” - Street “A” is a proposed east-west trending public street which would be designed as a collector roadway. It would connect Cherry Avenue on the east with existing Napa Street on the west. It would form an intersection with Rancho Vista Drive to the east of Cherry Avenue. Street “A” improvements would consist of a 96-foot right-of-way with four travel lanes, a 14-foot-wide painted median, and pedestrian walkways and parkway plantings. A 10-foot-wide multi-use pathway within a 24-foot parkway is proposed on the southern side of the street. On the northern side of Street “A” a six-foot sidewalk would be provided within an eight-foot parkway, and a five-foot landscape setback would be provided on private property outside of the right-of-way.



Source: HPA Architecture, Inc., 2021.

FIGURE 3-5: Circulation Plan
 Speedway Commerce Center II
 City of Rancho Cucamonga

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Street “D” - Street “D” is an existing private street that would be converted to an east-west trending public street which would be designed as a collector roadway. It would border an existing open stormwater channel to the south. Street “D” connects Cherry Avenue on the east to the existing private VIP Access Road (on the western edge of the Specific Plan area). The cross section for Street “D” is variable, with several different conditions and rights-of-way. See the Specific Plan for further details.

VIP Access Road - VIP Access Road is an existing private roadway that connects Street “D” (the existing Entry Road) to San Bernardino Avenue to the south. VIP Access Road would be converted to a public roadway upon project approval. Improvements include a 50-foot right-of-way with two travel lanes and an 11-foot-wide painted median.

Streets “B” and “C” - Streets “B” and “C” are proposed north-south trending public streets which would be designed as collectors. They would serve as internal circulation routes and connect Streets “A” and “D.” These streets may also serve as a direct pedestrian connection between the Next Gen motorsports facility and the parking fields/drop lots. Improvements for Streets “B” and “C” include a 60-foot right-of-way with two travel lanes, a 12-foot painted median, and six-foot curb adjacent sidewalks within an eight-foot parkway. Five-foot landscape setbacks are provided outside of the right-of-way adjacent to parking.

Site Access and Internal Circulation

Access to buildings for visitors, employees, and trucks would be provided via private driveways and drive aisles. Two-way drive aisles are required to have a minimum width of 24 to 26 feet depending upon their location relative to buildings, subject to approval of a fire access plan by the County’s Fire Department as part of Precise Development Plan review. Access aisles for multiple axle trucks and areas with loading docks must be a minimum of 40 feet in width (Development Code 83.11070). As outlined in the County’s Development Code, sightlines at intersections must be kept clear of obstructions.

Transit

Omnitrans is a public transit agency in the County providing bus service throughout the San Bernardino Valley. There are no existing Omnitrans public transit routes or stops providing regular service adjacent to the Project site. The closest Omnitrans Transit System routes are Route 66 along W. Foothill Boulevard and Route 61 along San Bernardino Avenue.⁶ As the Project develops, the Transit System may assess the potential demand for these facilities in the area and may establish new or extended routes in the area in the future. Coordination with Omnitrans has begun and will be ongoing as the Project builds out to determine the need for future bus service to the Project site.

The Project also includes improvements to two existing private at-grade rail crossing where Street “A” (off-site) and Street “D” (on-site) would cross the existing spur line located along the Project’s western boundary and improvements to one existing off-site at-grade rail crossing at San Bernardino Avenue.

⁶ Omnitrans. ND. System Map Aug. 2021 – Jan. 2022. <https://www.google.com/maps/d/u/1/viewer?mid=1CmimZ3xcB-KT4dV6NGC5w96P66N7nXwB&ll=34.085706419078775%2C-117.49244688955177&z=14> (accessed October 2021).

Bicycle/Pedestrian Facilities

Sidewalks would be provided on all street sections within the Project site. For Street “A,” a 10-foot-wide multi-use path would be provided for internal connectivity (see **Figure 4.16-1: Recreational Facilities**). This multi-use path provides a Class I bicycle lane with a landscaped parkway area providing separation between cyclists and on-street vehicles. The multi-use path runs the full east/west length of the Specific Plan area from Cherry Avenue to the connection point at Napa Street. The multi-use path also provides access to Streets “B” and “C” to allow pedestrians and bicyclists greater accessibility throughout the Specific Plan area.

Further, the Project includes opportunities for enhanced pedestrian walkway connections between the parking fields/drop lots and the Next Gen motorsports facility, with enhanced landscaping, signage or art installation, and pedestrian walkways.

Grading and Utilities

Topography

The topography of the Project site is generally gently sloping to the southwest. Grading of the site would be done in a manner to accommodate new development and new public roadways in accordance with California Building Code requirements and County grading standards. Earthwork for the site is anticipated to balance; however, there is the potential for import of soils. Retaining walls may be needed in areas of elevation differential between parcels and/or along the Project site boundary. Soil stockpiles may be used throughout the construction of the Project and would be based on the sequencing and phasing of construction. Any stockpiling that would be necessary would be identified on the grading plans prepared for grading permits.

Utilities

As mentioned in **Section 3.5: Project Setting**, there are currently 29 existing SCE overhead powerlines and poles along the northerly portion of the site. Due to the proximity of the SCE poles and lines to demolition activities associated with the two-mile oval track, the existing SCE overhead power poles and lines would be relocated and realigned from their existing location outside the area of all demolition activities as a result of implementing the Next Gen motorsports facility. Demolition of the track requires relocation of all SCE power poles and lines north of the existing location to a location along the ACS northern property boundary and adjacent to the active freight and passenger rail line creating a consistent alignment of the SCE poles and lines with the property line and other utilities.

SCE currently operates two 66-kV transmission line routes, the Etiwanda-Randall and Etiwanda-Declez No. 1 lines, which run concurrently across and within the Project boundary. The transmission line consists of 29 poles as described above and extends approximately 5,400 feet within the Project boundary across the existing northern parking lot and parallel to Back Straight Road to the eastern boundary. The transmission line undergrounds at the eastern boundary from the project site at Cherry Avenue. The existing 66-kV transmission line will be relocated about 350 feet north of the existing location with construction of approximately 30 new poles approximately 65 to 80 feet in height. The replacement poles will match the existing poles in approximate height and configuration.

If the SCE transmission line and poles are not relocated with the demolition of the ACS facilities, the Project would relocate the transmission line and poles.

The site is currently served with electric power through electricity distribution lines that are both aboveground and buried. The Project would connect to the existing SCE lines which would enable services to the site. The Project Applicant would work with SCE to tie into, relocate, and extend services into the site as required.

Redevelopment of the Project site would result in slight modifications to the existing man-made drainage patterns but would not substantially alter flows. In addition, the Project would include the installation of an integrated, on-site system consisting of measures designed to capture and control stormwater. These measures may include, but would not necessarily be limited to, underground storm drainpipes, catch basins, underground infiltration basins, low impact development stormwater techniques, and other structural best management practices to capture on-site stormwater runoff, and temporarily capture and hold stormwater before conveying the runoff off-site.

Water Supply

The Project site is served by Fontana Water Company (FWC) and Inland Empire Utilities Agency (IEUA). To meet water supply demand, the portions of the County that are operated by the Fontana Water Company receive water supply from Lytle Creek surface flow and from wells in the Lytle Basin, Chino Basin, and another groundwater basin known as No Man's Land. Additionally, as a part of the California State Water Project, water is purchased from the IEUA and San Bernardino Valley Municipal Water District. Fontana Water Company's water sources provide potable and recycled water services. A portion of the water supply can be purchased from the Cucamonga Valley Water District during water shortages or under emergency situations. The IEUA is responsible for the treatment of wastewater generated by the Project.

There is an existing 18-inch waterline that runs through the Project site, connecting existing water facilities in Napa Street to Cherry Avenue. A portion of this existing waterline would need to be removed with the development of the Project site. New water facilities would be installed in the backbone streets (Streets "A," "B," "C," and "D"). The proposed new water facilities would connect to existing FWC waterlines located in Cherry Avenue and Napa Street to provide water for the Project site.

A 12-foot 8-inch diameter Metropolitan Water District water supply line is located on-site and would be located under future Street "A" (extension of Napa Street) that would connect through the site from the westerly property boundary and jogs south just south of Rancho Vista Drive.

Recycled Water

There is an existing recycled waterline located in Napa Street, west of the Project site. The recycled waterline was installed by the IEUA with service being provided by FWC. Recycled water supply is delivered at a lower cost than potable water and is not interrupted during drought restriction periods, making it ideal for irrigation uses. As an option to using potable water for irrigation uses, new recycled water facilities may be installed in the backbone streets (Streets "A," "B," "C," and "D") to provide irrigation water for the Project site. Recycled water for irrigation may also be used along Cherry Avenue, VIP Access Road and San Bernardino Avenue.

Sewer Plan

Existing sewer service for the Project site is provided through on-site, private, sanitary sewer facilities that collect on-site wastewater flows, and convey them south through the existing California Steel Industries (CSI) property (APN: 023112105) to an existing 18-inch sewer line in San Bernardino Avenue operated by IEUA. Collection and treatment of wastewater from the Project site is provided through an agreement with IEUA, FWC, ACS, and the City of Fontana.

Proposed sewer service for the Project site would be handled through the installation of new backbone sewer facilities to be installed in the backbone streets (Streets “A,” “B,” “C,” and “D”) and easement areas, which would flow to the southwest corner of the Project site. Additional sewer infrastructure may be installed within the streets or as necessary to serve the site and would be reviewed and approved by the County and reviewing agencies, as appropriate. A new sewer main would be installed in the existing private VIP Access Road, south to San Bernardino Avenue, then going east to connect to the existing 18-inch sewer line in San Bernardino Avenue, the same sewer line serving the existing ACS site and surrounding area connects.

Site Utilities/Infrastructure

Utilities are provided by various third-party entities. The domestic water system within the Project site is owned and operated by the FWC. To meet water supply demand, the portions of the County that are operated by the FWC receive water supply from Lytle Creek surface flow and from wells in the Lytle Basin, Chino Basin, and another groundwater basin known as No Man’s Land. Additionally, as a part of the California State Water Project, water is purchased from the IEUA and San Bernardino Valley Municipal Water District. FWC’s water sources provide potable water services. A portion of the water supply can be purchased from the Cucamonga Valley Water District during water shortages or under emergency situations. The IEUA is responsible for the treatment of wastewater generated at the Project site.

The Project site is minimally served by water, power, and natural gas. The Project site would tie into existing utility lines within the existing roadways and right-of-ways adjacent to the site. The Project would be required to connect to the following utilities:

- Domestic and recycled water supply and distribution (FWC)
- Wastewater facilities (IEUA)
- Electricity (SCE)
- Natural gas (Southern California Gas Company [SoCal Gas])
- Communication systems (Charter Communications and Frontier Communications)
- Solid waste (Burrtec)

Fire Service

Fire Protection services would be provided by the San Bernardino County Fire Protection District. The Project site is located within Division 1 (West Valley), with two stations in close proximity. Those stations are Station 73 located at 8143 Banana Avenue in Fontana (approximately one mile from the Project site)

and Station 72 located at 15380 San Bernardino Avenue in Fontana (approximately two miles from the Project site).

Police Service

Police protection services would be provided by the County of San Bernardino Sheriff's Department out of the Fontana Station located at 17780 Arrow Boulevard in the City of Fontana, located approximately five miles from the Project site. Sheriff's Department Deputies at the Fontana Station work closely with the surrounding agencies of Fontana Police, Rialto Police, Rancho Cucamonga Police, and Riverside Sheriff to service the area.

Project Phasing/Construction

As previously noted, the Project site would be developed within the footprint of the existing ACS two-mile oval superspeedway racetrack and associated facilities. As described above in **Section 3.3: Project Background**, the Next Gen motorsports facility would replace the existing two-mile track with a 0.67-mile short track and reduce seating capacity to a maximum capacity of 50,000 persons with approximately 35,000 grandstands seats. The Next Gen motorsports facility development would also include the relocation of 29 existing wood and LWS poles containing 66kv and 12kv transmission, distribution, and communications power lines that currently traverse north of the existing two-mile oval track near the northern portion of the Project site. The relocation and realignment would need to take place prior to demolition of the existing two-mile oval track, portions of the grandstand, buildings, and temporary structures in order to avoid damages to the existing SCE poles and lines and causing disruption to the power supply.

Construction of the Project would take place in two general phases with the commercial development in the final phase and based on market demand. **Table 3-4: Conceptual Phasing** outlines the anticipated phasing of the buildout of the Project; however, multiple sub-phases may occur concurrently, and/or in a different order than currently anticipated. Square footages are approximate.

Table 3-4: Conceptual Phasing

Phase	Planning Area	Square Footage
Phase 1 (A and B)	Planning Area 1 High-cube Logistics/E-Commerce	Up to 1,827,000 sf
	Planning Area 2 High-cube Logistics/E-Commerce	Up to 2,277,300 sf
	Planning Area 3 High-cube Logistics/E-Commerce	Up to 939,800 sf
	Planning Area 5 Ancillary Commercial	Up to 261,360 sf
Phase 2	Planning Area 4 High-cube Logistics/E-Commerce	Up to 1,555,800 sf
Phase 3 Commercial Parcels	Planning Area 5a, 1c, and 2c Commercial/Ancillary Commercial	Up to 261,360 sf
Source: Kimley-Horn. 2022. <i>Speedway Commerce Center II Specific Plan</i> . Table 3-1: Land Use.		

The only factor limiting the phases is that infrastructure must be available for the construction of each phase. The Project would be phased to:

- Provide for the orderly build-out of the Project based upon market demand;
- Provide adequate infrastructure to service the Project and accommodate the ongoing ACS events; and,
- Phases may occur concurrently or in alternative order so long as the associated infrastructure and parking is provided.

New construction would include: (1) grading, (2) road and utility infrastructure, (3) building construction, (4) paving, (5) architectural coating, (6) landscaping, and the applicable off-site improvements conditioned by the County.

For off-site circulation improvements, see Recommended Improvements in the Traffic Study in **Appendix L**. Construction impacts would be limited to the improvements as identified in **Appendix L** during the duration of the construction activity and improvements would be reviewed by the County and appropriate transit agencies prior to construction activities. As off-site circulation improvements would generally occur within the existing improved right-of-way and the area around the Project is generally improved or built out, minimal impacts to biological resources, cultural resources, and air quality would occur. All relevant mitigation measures identified in this EIR would apply to the construction of any off-site circulation improvements by the Project.

A new sewer main would be installed in the existing private VIP Access Road, south, to San Bernardino Avenue, then going east to connect to the existing 18-inch sewer line in San Bernardino Avenue, the same sewer line that the existing Specific Plan area connects to. Widening of Cherry Avenue entries along the Project frontage would also be done to improve traffic movements at the intersections of Street "A"/Cherry Avenue and Street "D"/Cherry Avenue. No other off-site improvements are proposed.

3.7 Approvals Requested as Part of the Project

The County is the Lead Agency under CEQA and is responsible for reviewing and certifying the adequacy of the EIR for the Project. Prior to development of the Project, discretionary permits and approvals must be obtained from local, state, and federal agencies, as listed below. It is expected that these agencies, at a minimum, would consider the data and analyses contained in this Draft EIR when making their permit determinations. The Project consists of applications for a Specific Plan (PROJ-2021-00150), Development Agreement, and Tentative Map (No. 20478). A Revision to an Approved Action (PRAA-2020-00150) would also be required to remove from the coverage of the ACS Planned Development approximately 433 acres of the ACS site that would be governed by the new Specific Plan. Each requested approval is discussed in additional detail below.

Speedway Commerce Center II Specific Plan: The Project site is presently zoned Special Development Commercial (SD-Com). The SCCIISP is a regulatory document that establishes the development standards and design guidelines for the entire Specific Plan area in a manner that is consistent with the Countywide Plan and Development Code. The Specific Plan would implement the Countywide Plan. The Specific Plan would be considered by the Planning Commission and Board of Supervisors and would be adopted by Ordinance.

Development Agreement: A statutory development agreement, authorized pursuant to California Government Code § 65864 et seq., may be processed concurrent with the approval of the Specific Plan. The development agreement may include, among other items, methods for financing acquisition and construction of infrastructure and phasing, including future phasing. The development agreement would be fully approved before the issuance of the Project's first building permit.

Revision of Approved Action-Major: A Revision to an Approved Action is needed to modify the existing Planned Development Permit (PDP) for the ACS to remove from its coverage approximately 433 acres of the ACS Site that would be governed by the new Specific Plan. The remaining 90 acres for the Next Gen motorsports facility would continue to be governed by the Speedway Planned Development consistent with approvals issued by the County in June 2021. The Revisions to the Speedway Planned Development would not change the development or operations permitted under the plan for the Next Gen motorsports facility. The approximately 433 acres of the Specific Plan area would be governed by the SCCIISP.

Tentative Map: The Subdivision Map is a basic tool for implementation of a Specific Plan. The Project's Tentative Parcel Map (TPM-20478) would create the individual legal lots for Project development, formalize the parcel boundaries, and provide for public rights-of-way for Project access. The TPM would also create a new legal parcel for the Next Gen motorsports facility. A TPM has been prepared and would be considered by the County concurrently with the review of the Specific Plan.

Water Quality Management Plan: The Water Quality Management Plan (WQMP) for the Project would comply with the policies presented in the County's Development Code. The WQMP would also include best practices intended to reduce potential impacts to the County's stormwater conveyance system due to the Project's stormwater discharge. The statutes and best practices presented in the WQMP would apply in the construction phase of the Project and throughout the duration of its operation.

Other permits required for the Project may include but are not limited to the following: issuance of encroachment permits for driveways, sidewalks, and utilities; security and parking field lighting; demolition permits; building permits; grading permits; tenant improvement permits; and permits for new utility connections and the permits/approvals referred to in **Section 3.9**.

California Public Utilities Commission (CPUC) Permit: The Project includes the conversion of two existing private at-grade rail crossings at Street "A" at Napa Street (off-site) and Street "D" (on-site) to public at grade rail crossings, and improvements to an existing public at-grade rail crossing at San Bernardino Avenue located off-site south of the Project site. Street "A" (at Napa Street) and Street "D" (at VIP Access Road) rail crossings would generally remain the same when the street improvements are installed. Alterations at these two locations would require review and approval pursuant to the (CPUC). Furthermore, the Project Applicant would consult with UPRR regarding the off-site improvements at San Bernardino Avenue. This process occurs after the approval of the CEQA approval process.

3.8 Project Objectives

The Project implements the goals and policies of the County's Countywide Plan; the SCCIISP serves as an extension of this Plan; and can be used as both a policy and a regulatory document. The purpose of this

Project is to implement the vision laid out in the Project objectives by providing development standards, and design guidelines to direct future development within the Project site.

The Project would increase the County's production capacity and further fortify the economic base of the County. The Project would also revitalize a portion of the County with new industry and production. The Project would be developed to accomplish the following objectives:

- Objective 1:** Maximize the efficient movement of goods throughout the region by locating a large format high-cube logistics and e-commerce center in close proximity to the Ports of Los Angeles and Long Beach, enabling trucks servicing the site to achieve a minimum of two round trips per day.
- Objective 2:** Develop and operate a large format high-cube logistics and e-commerce center that maximizes the use of one of the few remaining large industrial sites in Southwestern San Bernardino County, to realize substantial unmet demand in Southwestern San Bernardino County and the region, and to allow Southwestern San Bernardino County to compete on a domestic and international scale through the efficient and cost-effective movement of goods.
- Objective 3:** Provide a land use plan that is sensitive to the environment through avoidance of sensitive resources, aesthetically pleasing through application of design guidelines, and places compatible land uses and facilities in an appropriate location.
- Objective 4:** Develop a high-cube logistics and e-commerce center that is in close proximity to Interstate I-10 and other major transportation arterials, to support the distribution of goods throughout the region and that also limits truck traffic disruption to sensitive receptors within the surrounding region.
- Objective 5:** Provide a system of infrastructure that includes public and private transportation, sewer, water, drainage, solid waste disposal, and other essential facilities to serve the needs of the Project.
- Objective 6:** Facilitate the continued operation of the existing speedway uses at the Next Gen motorsports facility through provision of ongoing parking fields and drop-lot areas for designated event days.
- Objective 7:** Develop and operate an attractive large format high-cube logistics and e-commerce center in Southwestern San Bernardino County that meets industry standards for operational design criteria that will attract quality tenants and that will be competitive with other similar facilities in the region.
- Objective 8:** Develop a location for siting clean industry involving large-scale buildings and impervious parking fields on a heavy industrial site that was once a steel mill.
- Objective 9:** Facilitate the establishment of design guidelines and development standards that create a unique, well-defined identity for the proposed Project. Enhance Project identity through architecture, landscaping, walls, fencing, signage and entry treatments.

- Objective 10:** Develop and operate a large format high-cube logistics and e-commerce center that limits truck traffic disruption to residential areas within Southwestern San Bernardino County and neighboring jurisdictions.
- Objective 11:** Develop and operate a high-cube logistics and e-commerce center that positively contribute to the economy of the Southwestern San Bernardino County through new capital investment, creation of new employment opportunities, including opportunities for highly-trained workers and expansion of a stable and diverse economic fiscal opportunity to increase the tax base.
- Objective 12:** Develop and operate employee-intensive facilities that can take advantage of the potential further expansion of transit facilities for efficient employee transportation.
- Objective 13:** Establish guidelines for energy efficiency that promote the conservation of energy resources in the construction and operation of the proposed high cube large format logistics and e-commerce center use.

3.9 Required Agency Approval

Section 15124 (d) of the State CEQA Guidelines requires that an EIR project description include a list of permits and other approvals required to implement a proposed project, the agencies expected to use the EIR in their decision making, and related environmental review and consultation requirements. The anticipated approvals required to implement the Project are identified below in **Table 3-5: Agency Approvals for the Proposed Project**, by agency:

Table 3-5: Agency Approvals for the Proposed Project

Agency	Approval/Permit
California Department of Fish and Wildlife (CDFW)	<ul style="list-style-type: none"> • Approval of a streambed authorization agreement pursuant to Section 1602 of the California Fish and Game Code if impacting streambed. No impacts have been identified. • Approval of incidental take permit(s) pursuant to Section 2081 (b) of the California Fish and Game Code if required. No impacts have been identified.
City of Fontana	<ul style="list-style-type: none"> • Coordination of any other permits required.
County of San Bernardino	<ul style="list-style-type: none"> • Final EIR Certification • Specific Plan Approval and Adoption • Development Agreement • Tentative Parcel Map • Major Revision to Approved Action (Planned Development Permit) • Building Plans/Permits • Grading Plans/Permits • Certificates of Occupancy • Infrastructure Plans/Permits • Local Jurisdiction Encroachment Permit • Landscape Plan • Drainage Plan • Water and Sewer Plan • Site Development Plan • Water Quality Management Plan

Agency	Approval/Permit
Inland Empire Utilities Agency (IEUA)	<ul style="list-style-type: none"> • Approval of agreement for recycled water and sewer facilities
Metropolitan Water District (MWD)	<ul style="list-style-type: none"> • Approval and construction over existing MWD easement
California Public Utilities Commission (CPUC)	<ul style="list-style-type: none"> • Rail • Crossing protection/permits
Regional Water Quality Control Board (RWQCB)	<ul style="list-style-type: none"> • National Pollutant Discharge Elimination System Permit • Approval of a Water Quality Certification under Section 401 of the Clean Water Act (if necessary)
San Bernardino County Flood Control District	<ul style="list-style-type: none"> • Approval of modifications to existing drainage facilities.
San Bernardino County Special Districts	<ul style="list-style-type: none"> • Formation of Special District
South Coast Air Quality Management District	<ul style="list-style-type: none"> • Dust Control Plan, and other permits as necessary
United States Army Corps of Engineers (USACE)	<ul style="list-style-type: none"> • Approval of permits under Section 404 of the Clean Water Act to alter Waters of the United States (if necessary) • Approval of permits under Section 408 through the Civil Works program for the alteration of a Civil Works project (if necessary)

4.0

ENVIRONMENTAL IMPACT ANALYSIS

4.0 ENVIRONMENTAL IMPACT ANALYSIS

Organized by environmental resource category, **Section 4.0: Environmental Impact Analysis**, provides an integrated discussion of the affected environment, including regulatory and environmental settings and environmental impacts and mitigation measures, which reduce or avoid potentially significant impacts associated with implementation of the Project.

Additional analysis and other required chapters under the California Environmental Quality Act (CEQA) are provided in **Section 5.0: Other CEQA Considerations**, which discusses mandatory findings of significance and other required CEQA topics, **Section 6.0: Alternatives**, which describes and discusses the impacts associated with four alternatives to the Project, and **Section 7.0: Effects Found Not to Be Significant**.

4.0.1 Section Content and Definition of Terms

The environmental setting, impacts, and mitigation measures related to each environmental impact area are described in **Sections 4.1** through **4.20**. **Section 4.0** is organized into the following environmental topic areas:

- Section 4.1 Aesthetics
- Section 4.2 Agriculture and Forestry Resources
- Section 4.3 Air Quality
- Section 4.4 Biological Resources
- Section 4.5 Cultural Resources
- Section 4.6 Energy
- Section 4.7 Geology and Soils
- Section 4.8 Greenhouse Gas Emissions
- Section 4.9 Hazards and Hazardous Materials
- Section 4.10 Hydrology and Water Quality
- Section 4.11 Land Use and Planning
- Section 4.12 Mineral Resources
- Section 4.13 Noise
- Section 4.14 Population and Housing
- Section 4.15 Public Services
- Section 4.16 Recreation
- Section 4.17 Transportation
- Section 4.18 Tribal Cultural Resources
- Section 4.19 Utilities and Service Systems
- Section 4.20 Wildfire

Each potentially significant environmental issue area is addressed in a separate EIR Section (4.1 through 4.20) and is organized into the following subsections:

- **“Environmental Setting”** provides an overview of the existing physical environmental conditions in the study area that could be affected by implementation of the Project (i.e., the “affected environment”).
- **“Regulatory Setting”** identifies the plans, policies, laws, and regulations that are relevant to each resource area and describes permits and other approvals necessary to implement the Project. As noted above, the EIR needs to address possible conflicts between the Project and the

requirements of federal, state, regional, or local agencies, including consistency with adopted land use plans, policies, or other regulations for the area. Therefore, this subsection summarizes or lists the potentially relevant policies and objectives, such as from the applicable County of San Bernardino (County) General Plan (Countywide Plan) and County Code of Ordinances.

- **“Impact Thresholds and Significance Criteria”** provides the criteria used in this document to define the level at which an impact would be considered significant in accordance with CEQA. Significance criteria used in this EIR are based on the checklist presented in Appendix G of the State CEQA Guidelines, factual or scientific information and data, and regulatory standards of federal, state, and local agencies.
- **“Impacts and Mitigation Measures”** are listed numerically and sequentially throughout each section. A bold font impact statement precedes the discussion of each impact and provides a summary of each impact and its level of significance. The discussion that follows the impact statement includes the analysis on which a conclusion is based regarding the level of impact and its effect pursuant to local, state and federal regulations and laws. Compliance with existing regulations and laws are not identified as mitigation measures.
- **“Cumulative Impacts”** identifies potential environmental impacts of past, present, and reasonably foreseeable future projects, in combination with the Project.
- **“Significant Unavoidable Impacts”** identifies environmental impacts that would remain significant even with implementation of feasible mitigation measures.
- **“References”** relied upon to write the EIR sections are listed here.

“Mitigation Measures” are recommended where feasible to avoid, minimize, offset, or otherwise compensate for significant and potentially significant impacts of the Project, in accordance with CEQA Guidelines § 15126.4. Each mitigation measure is identified by resource area, numerically, and sequentially. For example, mitigation measures in **Section 4.3: Air Quality**, are numbered **MM AQ-1, MM AQ-2, MM AQ-3**, and so on. Pursuant to CEQA, the EIR also provides a brief discussion of the potentially significant impacts of a given mitigation measure, if applicable.

The level of impact of the Project is determined by comparing proposed changes associated with the Project as compared to baseline conditions, in light of the thresholds of significance identified in the EIR. Under CEQA, the existing environmental setting normally represents baseline conditions against which impacts are compared to determine significance. The environmental baseline is typically set as the date of Notice of Preparation (NOP) publication, here, December 13, 2021.

Further, CEQA Guidelines § 15125: Environmental Setting states:

- a) An EIR must include a description of the physical environmental conditions in the vicinity of the project. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to provide an understanding of the significant effects of the proposed project and its alternatives. The purpose of this requirement is

to give the public and decision-makers the most accurate and understandable picture practically possible of the project's likely near-term and long-term impacts.

- 1) Generally, the lead agency should describe physical environmental conditions as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. Where existing conditions change or fluctuate over time, and where necessary to provide the most accurate picture practically possible of the project's impacts, a lead agency may define existing conditions by referencing historic conditions, or conditions expected when the project becomes operational, or both, that are supported with substantial evidence. In addition, a lead agency may also use baselines consisting of both existing conditions and projected future conditions that are supported by reliable projections based on substantial evidence in the record.

Project component-specific analyses are conducted to evaluate each potential impact on the existing environment. This assessment also specifies why impacts are found to be significant, potentially significant, or less than significant, or why there is no environmental impact.

CEQA Guidelines § 15382 and Public Resources Code (PRC) § 21068 define a significant effect on the environment as a “substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is “significant.” A potentially significant effect is one that, if it were to occur, would be considered a significant impact; however, the occurrence of the impact is uncertain. PRC § 21100(b)(3) states that mitigation measures proposed to minimize significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy, shall be included in the EIR. Subsection (d) of PRC § 21100 adds that for the purposes of this section (PRC § 21100), any significant effect on the environment shall be limited to substantial, or potentially substantial, adverse changes in physical conditions which exist within the area as defined in PRC § 21060.5. Therefore, a “potentially significant” effect and “significant” effect are treated the same under CEQA in terms of procedural requirements and the need to identify feasible mitigation.

An EIR must describe feasible mitigation measures that could minimize or avoid a project's potentially significant environmental impacts. (CEQA Guidelines § 15126.4(a)(1)). CEQA Guidelines § 15364 and PRC § 21061.1 state that “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. A “less than significant” impact is one that would not result in a substantial adverse change in the physical environment (applicable significance thresholds would not be exceeded in consideration of PDFs and existing laws, ordinances, standards, or regulations).

Both direct and indirect effects of the Project are evaluated for each environmental resource area (CEQA Guidelines § 15126.2 and PRC § 21065.3). Direct effects are those that are caused by the Project

and occur at the same time and place. Indirect effects are reasonably foreseeable consequences that may occur at a later time or at a distance that is removed from the Project area, such as growth-inducing effects and other effects related to changes in land use patterns, population density, or growth rate, and related effects on the physical environment.

Cumulative impacts are discussed below and throughout **Section 4.0**, at the end of each individual resource section.

Mitigation measures do not need to be proposed when there is no impact, or the impact is determined to be “less than significant” prior to mitigation (CEQA Guidelines § 15126.4(a)(3)). Where sufficient feasible mitigation is not available to reduce impacts to a less than significant level, the impacts are identified as remaining “significant and unavoidable.”

4.0.2 Cumulative Impacts Analysis

In addition to the Project-specific impacts, the environmental analysis within this EIR identifies the potential environmental effects associated with cumulative development in accordance with CEQA Guidelines § 15130, which requires an EIR to analyze the cumulative impacts of the Project in conjunction with other developments that affect or could affect the Project area. Furthermore, CEQA requires that the cumulative impacts analysis must identify the level of significance of each impact and their likelihood of occurring. However, the discussion does not need to be as extensive as the discussion of the environmental impacts attributable to the Project. In accordance with CEQA Guidelines § 15355:

“Cumulative impacts” refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. 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 § 15130(a)(1) also states that a “cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts.” If the combined cumulative impact is not significant, CEQA Guidelines § 15130(a)(2) requires a brief discussion indicating why the cumulative impact is not significant and why it is not discussed in further detail. CEQA Guidelines § 15130(a)(3) requires a supporting analysis be included in the EIR if the Project's contribution results in a significant cumulative impact that is rendered less than cumulatively considerable and, therefore, is not significant. Furthermore, CEQA recognizes that the analysis of cumulative impacts need not provide as great detail as is provided for the effects attributable to the project alone, and the discussion should “be guided by the standards of practicality and reasonableness” (CEQA Guidelines § 15130(b)). The discussion of cumulative impacts within this EIR focuses on whether the impacts of the Project are cumulatively considerable.

For purposes of this EIR, the Project would cause a cumulatively considerable and therefore significant cumulative impact if:

- The cumulative effects of other past, current, and probable future projects without the Project are not significant and the Project's incremental impact is substantial enough, when added to the cumulative effects, to result in a significant impact.
- The cumulative effects of other past, current, and probable future projects without the Project are already significant and the Project would result in a cumulatively considerable contribution to the already significant effect. The standards used herein to determine whether the contribution is cumulatively considerable include the existing baseline environmental conditions, and whether the Project would cause a substantial increase in impacts, or otherwise exceed an established threshold of significance.

The approach and geographic scope of the cumulative impact evaluation vary depending on the environmental topic area being analyzed. The individual "Cumulative Impacts" subsections within each environmental topic present cumulative impacts analysis and mitigation measures, as applicable, for each environmental impact area. Each section of the EIR begins with a summary of the approach and the geographic area relevant to that environmental topic area. For the environmental topic areas, the list approach is used to analyze cumulative impacts. The list of potentially relevant projects as well as methodology and relevant planning documents are discussed in each impact section's discussion of "Cumulative Impacts."

The cumulative analysis must be in sufficient detail to be useful to the decision-maker in deciding whether, or how, to alter the Project to lessen any cumulative impacts. **Table 4-1: Cumulative Projects List** provides a list of projects that were used in assessing the potential for cumulative impacts from the Project. Most of the projects included in the cumulative analysis have undergone, are undergoing, or will be required to undergo, their own independent environmental review under CEQA. Significant adverse impacts of the cumulative projects would be required to be reduced, avoided, or minimized through the application and implementation of mitigation measures applicable to those separate projects. The net effect of these mitigation measures is assumed to be a general lessening of contribution to cumulative impacts. This discussion, found at the end of each impact section, provides an analysis of overall cumulative effects of the Project taken together with other past, present, and reasonably foreseeable probable future projects.

Project Approach

There are two commonly used approaches, or methodologies, for establishing the cumulative impact setting or scenario. One approach is to use a "list of past, present, and probable future projects producing related or cumulative impacts including, if necessary, those project outside the control of the agency, ..." (CEQA Guidelines § 15130(b)(1)(A)). The other is to use a "summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect" (CEQA Guidelines § 15130(b)(1)(B)).

This EIR uses the list-based approach to provide a tangible understanding and context for analyzing the cumulative effects of the Project. **Table 4-1: Cumulative Projects List**, provides information pertaining to relevant projects within the County that are in the vicinity of the Project site. The Countywide Plan and

other planning documents (such as the Southern California Association of Governments' Regional Transportation Plan/Sustainable Communities Strategy Program EIR) were used as additional reference points in establishing the cumulative scenario for the analysis. Taken together, the projects identified in **Table 4-1** provide context as to the nature of potential cumulative projects, and the previous CEQA documents provide further context as to cumulative impacts considered for prior projects. The intent of the cumulative impact discussions is to provide sufficient information to inform decision-makers and the public, rather than "tiering" off of prior CEQA documents for cumulative impacts.

Geographic Scope

With respect to this EIR analysis, cumulative effects can generally be geographically classified as localized, site-specific resource issues, regional, watershed level resource issues, and global resource issues. At the localized, site-specific resource scale, the Project's cumulative impacts have been analyzed for all 20 resource topics.

Cumulative impact discussions are included in each environmental resource area analyses (EIR **Section 4.1 - 4.20**). Cumulative impacts are assessed based on the associated projects' geographic location in relation to the Project as well as any environmental effects which may aggregate into a larger combined impact. The analysis of cumulative effects considers a number of variables, including geographic (spatial) limits, time (temporal) limits, and the characteristics of the resource being evaluated. The geographic scope of each analysis is based on the topography surrounding the Project site and the natural boundaries of the resource affected, rather than jurisdictional boundaries. The geographic scope of cumulative effects will often extend beyond the scope of the direct effects, but not beyond the scope of the direct and indirect effects of the proposed project, except for greenhouse gas (GHG) emissions. The geographic extent of climate change and GHG emissions cumulative impact discussion is worldwide. The EIR addresses the Project's potentially significant impacts, recommends Project-specific mitigation measures, and then also identifies existing or recommended measures to address potential cumulative impacts.

Types of Projects Considered

The following project summaries represent past, present and probable future projects that could result in cumulative impacts when combined with the Project. Related projects and other possible development in the Project area determined as having the potential to interact with the Project to the extent that a significant cumulative effect may occur are outlined in **Table 4-1. Figure 4-1: Location of Cumulative Projects Map**, shows the locations of the past, present, and probable future projects.

The following **Table 4-1** presents the list and location of projects that have been identified in the County and adjacent communities:

Table 4-1: Cumulative Projects List

Proj #	Description	Land Use	Quantity	Units	Trip Generation Estimates						
					Daily	AM Peak Hour			PM Peak Hour		
						In	Out	Total	In	Out	Total
City of Fontana											
1	Single Family Residential	Single-Family Detached Housing	200	DU	1,888	37	111	148	125	73	198
2	Citrus Crossroads	Shopping Center	40.100	KSF	1,514	23	14	37	73	79	152
3	Fontana CDRJ	Automobile Sales (New)	44.625	KSF	1,242	61	23	84	43	65	108
4	Fontana Hyundai	Automobile Sales (New)	26.083	KSF	726	36	13	49	25	38	63
5	Walnut Village Senior Housing	Senior Adult Housing-Attached	93	Occ. DU	320	6	12	18	13	9	22
6	Providence II Amendment	Single-Family Detached Housing	96	DU	906	18	53	71	60	35	95
7	Victoria Homes Tract 20229	Single-Family Detached Housing	193	DU	1,822	36	107	143	120	71	191
8	Foothill Apartments	Multifamily Housing (Low-Rise)	24	DU	176	3	8	11	8	5	13
		Shopping Center	3.100	KSF	117	2	1	3	6	6	12
9	Taco Bell Cherry Ave	Fast-Food Restaurant w/ Drive-thru	2.077	KSF	978	43	41	84	35	33	68
10	Courtyard at Cherry	Shopping Center	66.470	KSF	2,509	39	24	63	122	132	254
11	Hilton Logistics Center	Warehousing	80.000	KSF	139	10	3	13	4	11	15
12	Happy Senior Apartments	Senior Adult Housing-Attached	78	Occ. DU	268	5	10	15	11	7	18
13	Lime Avenue Development	Single-Family Detached Housing	18	DU	170	3	10	13	11	7	18
14	Almeria Senior Housing	Senior Adult Housing-Attached	72	Occ. DU	248	5	9	14	10	7	17
15	Miller Villas	Single-Family Detached Housing	11	DU	104	2	6	8	7	4	11
16	Kingston Meadow	Single-Family Detached Housing	19	DU	179	4	11	15	12	7	19

Proj #	Description	Land Use	Quantity	Units	Trip Generation Estimates						
					Daily	AM Peak Hour			PM Peak Hour		
						In	Out	Total	In	Out	Total
17	Baseline Apartments	Multifamily Housing (Low-Rise)	54	DU	395	6	19	25	19	11	30
18	Multi-Family Project	Multifamily Housing (Low-Rise)	60	DU	439	6	21	27	21	12	33
19	Malaga Apartments	Multifamily Housing (Low-Rise)	18	DU	0	0	0	0	6	4	10
20	Cypress Multifamily	Multifamily Housing (Mid-Rise)	106	DU	0	10	28	38	28	18	46
21	Building Apartments	Multifamily Housing (Low-Rise)	14	DU	102	1	5	6	5	3	8
22	Valencia Apartments	Multifamily Housing (Low-Rise)	8	DU	59	1	3	4	3	2	5
23	Industrial Building	General Light Industrial	11.990	KSF	59	7	1	8	1	7	8
24	Downtown Mixed-Use Project	Shopping Center	3.252	KSF	123	2	1	3	6	6	12
		Multifamily Housing (Low-Rise)	28	DU	205	3	10	13	10	6	16
25	Foothill Starbucks	Coffee/Donut Shop w/ D.T.	2.300	KSF	1,887	104	100	204	50	50	100
26	United Gas Station	Gasoline/Service Station	8.000	FP	1,376	41	41	82	56	56	112
27	Fontana Citrus and Ceres	Fast-Food Restaurant w/ Drive-thru	2.400	KSF	1,130	49	47	96	41	38	79
28	Fontana Evergreen Senior Living	Senior Adult Housing-Attached	72	Occ. DU	248	5	9	14	10	7	17
29	47 Single Family Lots	Single-Family Detached Housing	47	DU	444	9	26	35	29	17	46
30	Unical 76 Automated Car Wash	Automated Car Wash	2.800	KSF	457	16	9	25	20	20	40
		Shopping Center	2.700	KSF	102	2	1	3	5	5	10
31	Fountain City Villas	Multifamily Housing (Low-Rise)	10	DU	73	1	4	5	4	2	6
32	Cypress Apartment Complex	Multifamily Housing (Low-Rise)	14	DU	102	1	5	6	5	3	8

Proj #	Description	Land Use	Quantity	Units	Trip Generation Estimates						
					Daily	AM Peak Hour			PM Peak Hour		
						In	Out	Total	In	Out	Total
33	Huibi Development Juniper	Single-Family Detached Housing	6	DU	57	1	3	4	4	2	6
34	Badiola Sierra Offices	General Office Building	4.100	KSF	40	4	1	5	1	4	5
35	Sierra Beauty Salon	Hair Salon	2.378	KSF	3	0	0	0	1	3	4
36	Assembly Hall	Synagogue	6.260	KSF	33	10	6	16	10	8	18
37	Oleander Nine Lots	Single-Family Detached Housing	9	DU	85	2	5	7	6	3	9
38	Chantry 9 Homes	Single-Family Detached Housing	9	DU	85	2	5	7	6	3	9
39	Northgate Commercial	Fast-Food Restaurant w/ Drive-thru	59.385	KSF	27,967	1,217	1,169	2,386	1,009	931	1,940
40	Valley Truck & Trailer	Automobile Parts and Service Center	28.843	KSF	470	41	15	56	26	39	65
41	Elizabeth's Insurance	Small Office Building	7.297	KSF	118	12	2	14	6	12	18
42	East Coast Truck & Auto Sale	Automobile Parts and Service Center	10.035	KSF	163	14	5	19	9	14	23
43	Baseline Apartments 2	Multifamily Housing (Low-Rise)	54	DU	395	6	19	25	19	11	30
44	9885 Sierra Avenue	Shopping Center	9.915	KSF	374	6	4	10	18	20	38
45	Almond Commerce Center	High-Cube Parcel Hub Warehouse	210.400	KSF	1,631	74	74	148	92	43	135
46	Cherry Valley Retail Center	Coffee/Donut Shop w/ D.T.	2.500	KSF	2,051	113	109	222	54	54	108
		Automobile Parts Sales	7.381	KSF	408	11	9	20	17	19	36
47	Oakmont Live Oak	Warehousing	240.750	KSF	419	32	9	41	12	33	45
48	Patriot Partners on Live Oak	Warehousing	177.660	KSF	309	23	7	30	9	25	34
49	Fontana Corporate Center	Warehousing	352.454	KSF	613	46	14	60	18	49	67
50	13860 Santa Ana	Trailer Storage Yard	13	Acres	940	12	20	32	34	17	51
51	Fontana Trailer Storage	Trailer Storage Yard	4.38	Acres	317	4	7	11	12	6	18

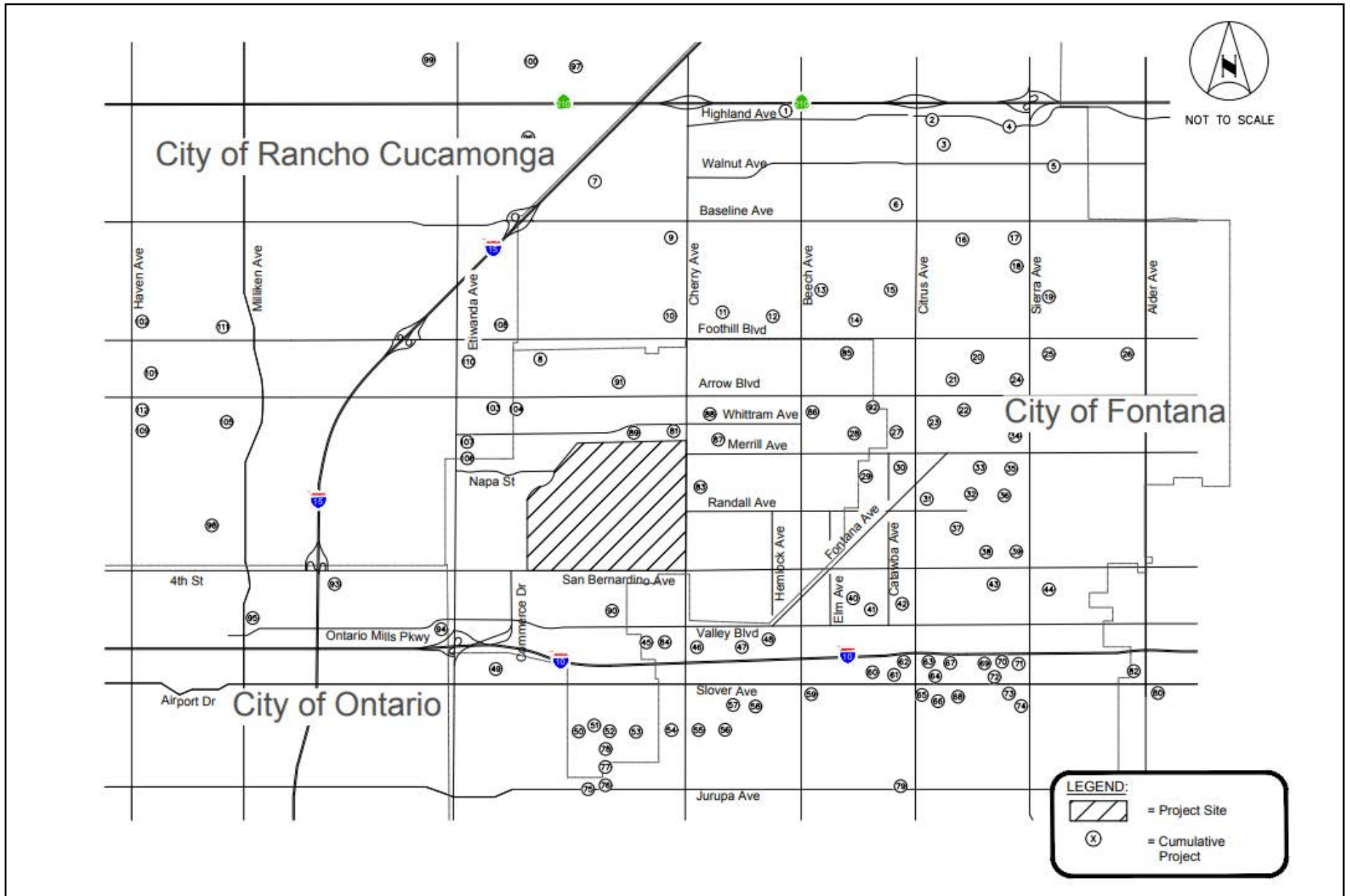
Proj #	Description	Land Use	Quantity	Units	Trip Generation Estimates						
					Daily	AM Peak Hour			PM Peak Hour		
						In	Out	Total	In	Out	Total
52	Santa Ana and Calabash	Warehousing	129.378	KSF	225	17	5	22	7	18	25
53	Cabot Commerce Center	Warehousing	159.618	KSF	278	21	6	27	8	22	30
54	10840 Cherry Ave	Warehousing	174.280	KSF	303	23	7	30	9	24	33
55	Black Creek Fontana	Warehousing	190.000	KSF	331	25	7	32	10	26	36
56	Santa Ana Warehouse	Warehousing	49.660	KSF	86	7	2	9	3	7	10
57	Duke Warehouse	Warehousing	298.210	KSF	519	39	12	51	15	41	56
58	Truck Repair	Automobile Parts and Service Center	3.530	KSF	57	5	2	7	3	5	8
59	Warehouse	Warehousing	192.794	KSF	335	25	8	33	10	27	37
60	Alvarez Car Repair	Automobile Parts and Service Center	12.000	KSF	195	17	6	23	11	16	27
61	Clover Industrial Property	Warehousing	146.843	KSF	256	19	6	25	7	20	27
62	Boyle Industrial Property	Warehousing	126.655	KSF	220	17	5	22	6	18	24
63	Boyle West Warehouse	Warehousing	88.984	KSF	155	12	3	15	5	12	17
64	Rivas Trailers	Small Office Building	1.256	KSF	20	2	0	2	1	2	3
65	Citrus & Slover Warehouse	Warehousing	194.212	KSF	338	25	8	33	10	27	37
66	Duke Realty Slover & Oleander	Warehousing	205.949	KSF	358	27	8	35	11	29	40
67	Duke Warehouse	Warehousing	623.460	KSF	1,085	82	24	106	32	87	119
68	Slover Industrial Warehouse	Warehousing	95.600	KSF	166	13	4	17	5	13	18
69	Sierra Business Center	Warehousing	705.735	KSF	1,228	92	28	120	36	98	134
70	Transwestern - Boyle Ave Bldg 2	High-Cube Parcel Hub Warehouse	77.460	KSF	600	27	27	54	34	16	50
71	Transwestern - Boyle Ave Bldg 1	High-Cube Parcel Hub Warehouse	178.142	KSF	1,381	62	62	124	77	37	114
72	Slover Ave Warehouse	Warehousing	41.000	KSF	71	5	2	7	2	6	8
73	La Quinta Inn	Hotel	104	Room	869	29	20	49	32	31	63

Proj #	Description	Land Use	Quantity	Units	Trip Generation Estimates						
					Daily	AM Peak Hour			PM Peak Hour		
						In	Out	Total	In	Out	Total
74	Townplace Suites, Fontana	Hotel	116	Room	970	32	22	54	35	34	69
75	Calabash Industrial Building	Warehousing	64.692	KSF	113	8	3	11	3	9	12
76	Jurupa Warehouse	Warehousing	279.859	KSF	487	37	11	48	14	39	53
77	MG Home International Warehouse	Warehousing	15.570	KSF	27	2	1	3	1	2	3
78	Henean Trucking Fontana	Warehousing	2.670	KSF	5	0	0	0	0	0	0
79	Citrus Industrial Building	Warehousing	49.987	KSF	87	7	2	9	3	7	10
San Bernardino County											
80	PROJ-2020-00160	Automobile Care Center	18.295	KSF	98	27	14	41	27	30	57
81	PROJ-2020-00200	Gasoline/Service Station	8.000	KSF	1,376	41	41	82	56	56	112
82	PROJ-2020-00179	Trailer Storage Yard	0.4	Acres	29	0	1	1	1	1	2
83	PRAA-2020-00038	Warehousing	6.133	KSF	11	1	0	1	0	1	1
84	PROJ-2019-00037	Warehousing	48.882	KSF	85	6	2	8	2	7	9
85	PROJ-2019-00070	Warehousing	12.500	KSF	22	2	0	2	1	2	3
86	PROJ-2019-00082	Trailer Storage Yard	4	Acre	289	4	6	10	11	5	16
87	PROJ-2020-00025	Warehousing	5.000	KSF	9	1	0	1	0	1	1
88	PROJ-2020-00061	Warehousing	4.200	KSF	7	1	0	1	0	1	1
89	PROJ-2020-00217	Warehousing	209.600	KSF	365	27	8	35	11	29	40
90	PROJ-2020-00227	Automobile Care Center	9.000	KSF	48	13	7	20	13	15	28
91	PROJ-2020-00230	Single-Family Detached Housing	112	DU	1,057	21	62	83	70	41	111
92	PROJ-2020-00235	Warehousing	195.960	KSF	341	26	8	34	10	27	37
City of Ontario											
93	PDEV19-021	Hotel	138.000	Room	1,154	38	27	65	42	41	83
94	PDEV21-029	General Light Industrial	15.132	KSF	75	9	1	10	1	8	9
95	PDEV19-070	Automated Car Wash	4.446	KSF	725	25	15	40	32	32	64
City of Rancho Cucamonga											
96	East Avenue Villa	Single-Family Detached Housing	12	DU	113	2	7	9	7	4	11

Proj #	Description	Land Use	Quantity	Units	Trip Generation Estimates						
					Daily	AM Peak Hour			PM Peak Hour		
						In	Out	Total	In	Out	Total
97	DRC2019-00558	Single-Family Detached Housing	10	DU	94	2	6	8	6	4	10
98	The Resort	Multifamily Housing (Mid-Rise)	296	DU	1,610	28	79	107	79	51	130
		Multifamily Housing (Low-Rise)	135	DU	988	14	48	62	48	28	76
		Multifamily Housing (Low-Rise)	80	DU	586	8	28	36	28	17	45
		Multifamily Housing (High-Rise)	867	DU	3,858	64	205	269	191	121	312
99	Bayan Avenue 9	Single-Family Detached Housing	9	DU	85	2	5	7	6	3	9
100	Manning Homes 17	Single-Family Detached Housing	17	DU	160	3	9	12	11	6	17
101	8281 Utica Office	General Office Building	12.000	KSF	117	12	2	14	2	12	14
102	Station 178	Fire and Rescue Station	12.363	KSF	0	0	0	0	2	4	6
103	Siamak Coffee House	Coffee/Donut Shop w/o D.T.	1.000	KSF	137	52	50	102	18	18	36
104	Hickory and Arrow Industrial	Warehousing	33.067	KSF	58	4	1	5	2	5	7
105	Milliken and Jersey Industrial	Warehousing	143.014	KSF	249	19	6	25	7	20	27
106	Hillwood - 2 Industrial Warehouses	Warehousing	651.000	KSF	1,133	85	25	110	33	90	123
107	Bernell Hydraulics	General Light Industrial	22.000	KSF	109	14	2	16	2	12	14
108	Westbury	Multifamily Housing (Low-Rise)	133	DU	974	14	47	61	47	28	75
109	Haven and 26th	Multifamily Housing (Mid-Rise)	207	DU	1,126	19	55	74	55	36	91
		Shopping Center	14.300	KSF	540	8	5	13	26	28	54
110	Alta Cuvee	Multifamily Housing (Mid-Rise)	260	DU	1,414	24	69	93	70	45	115

Proj #	Description	Land Use	Quantity	Units	Trip Generation Estimates						
					Daily	AM Peak Hour			PM Peak Hour		
						In	Out	Total	In	Out	Total
111	Harvest at Terra Vista	Multifamily Housing (High-Rise)	660	DU	2,937	49	156	205	145	92	237
112	Haven and Arrow	Multifamily Housing (Mid-Rise)	240	DU	1,306	23	64	87	64	41	105
Total Project Trips					91,035	3,592	3,621	7,213	3,883	3,787	7,670
Source: Kimley-Horn. 2022. <i>Traffic Study for Speedway Commerce Center II Specific Plan</i> . Table 2. DU = Dwelling Unit, KSF = 1,000 square feet, FP = Fueling Position											

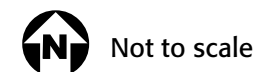
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Source: Kimley-Horn and Associates, Inc., 2022

FIGURE 4-1: Location of Cumulative Projects

Speedway Commerce Center II
 City of Rancho Cucamonga



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4.1 AESTHETICS

4.1.1 Introduction

The purpose of this section is to describe the existing regulatory and environmental conditions related to aesthetics and other visual resources in the vicinity of the Speedway Commerce Center II Specific Plan Project (Project). This section identifies potential impacts that could result from the Project including construction and operation of high-cube logistics and e-commerce development with ancillary commercial uses and parking fields and drop lot areas. This chapter discusses the visual changes that would occur upon implementation of the Project, and as necessary, recommends mitigation measures to avoid and/or reduce the significance of impacts. Aesthetic and other visual resources include both natural and built environments. Impacts are discussed in terms of the changes that would result from Project implementation and includes analysis of adverse effects on a scenic vista(s), changes to scenic resources (e.g., trees, rock outcroppings, or historic buildings) within a state scenic highway, and/or degradation of the sites or the surrounding visual character. Impacts could also result from the creation of a new source of substantial light or glare.

Information used to prepare this section includes resources from:

- County of San Bernardino (2020). *San Bernardino Countywide Plan*.
- County of San Bernardino (2019). *San Bernardino Countywide Plan Draft Environmental Impact Report*.

Visual Resource Terminology and Concepts

When viewing a landscape, people can have different responses to that landscape based on what is seen, their expectations of views, and because of proposed or current changes to the visual landscape. Viewer responses will vary based upon the viewer's values, familiarity, concern, or expectations of that landscape as well as the scenic quality. Because each person's attachment to and value for a landscape is unique, visual changes to that landscape inherently affect viewers differently. Nonetheless, generalizations can be made about viewer sensitivity to scenic quality and visual changes. Recreational users (e.g., hikers, equestrians, tourists, and people driving for pleasure) generally have high concern for scenery and landscape character. People commuting daily through the same landscape generally have a moderate concern for scenery, while people working at an industrial site would generally have a lower concern for scenic quality or changes to existing landscape character. Regarding travelers navigating through a landscape, the visual sensitivity of these types of viewers is affected by the travel speed at which they are moving, the landscape they are viewing, and area in which they are traveling, for example, an interstate or scenic highway. Other considerations may include changes as seen by viewers from hiking trails or stationary viewers from a residence.

The visual sensitivity of a viewer also is affected by variables such as the viewing distances to the landscape. For example, a project feature or natural environment can be perceived differently by people depending on the distance the observer is from the viewed object. At closer ranges greater detail of an object or landscape is visible. In these instances, changes to viewed objects have a greater potential to

influence the visual quality of the object because changes to form or scale (the object's relative size in relation to the viewer) are more noticeable. When the same object is viewed at background distances, details may be imperceptible while changes to the overall forms of terrain and vegetation may be evident. In the middle ground, some detail is evident (e.g., the foreground), and landscape elements are seen in context with landforms and vegetative patterns (e.g., the background). Nonetheless, changes in views from all distances can result in negative consideration from viewers.

Specific terms and concepts are used to assess the visual elements, aesthetic setting, and potential for a project to have effects on visual resources. These terms are included in the discussions throughout this Chapter and are listed below.

Scenic Vista. An area that is designated, signed, and accessible to the public for the express purposes of viewing and sightseeing. This includes any such areas designated by a federal, state, or local agency.

Scenic Highway. Any stretch of public roadway that is designated as a scenic corridor by a federal, state, or local agency.

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

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

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

4.1.2 Environmental Setting

Visual Setting

The Project site encompasses approximately 433 acres of the approximately 522-acre existing Auto Club Speedway (ACS) located in unincorporated San Bernardino County and is comprised of five parcels. The Project site largely consists of parcels developed with outbuildings and parking lots associated with

the existing ACS. According to historic aerials, the Project site and surrounding area supported agricultural activities in the early 1900s and transitioned into industrial development in the mid- and late-1900s, with notable uses including steel processing. The existing, approximately 522-acre, ACS completed construction in 1996.¹ The immediate surrounding properties consist of an active freight and passenger rail line to the north, and a mixture of road rights-of-way, waste services, residential, commercial, and industrial uses to the south, east, and west of the Project site. The San Sevaine Channel is located west of the Project site.

The overall site generally drains to the south and west with approximate surface elevations of 1,090 feet at the southwest corner of the site to 1,170 feet at the northeast corner of the site.² The topography on-site is variable, including flat and gently sloping parking areas on the southwest portion of the site, and artificial hills associated with the slope of the existing racetrack.³

Views of the Project site are primarily available to travelers from a cul-de-sac at the eastern end of Napa Street, from Cherry Avenue, and from Whittram Avenue. Views of the Project site are also available to commuters on Metrolink's San Bernardino line, located north of the Project site. The Project site is currently traversed by several roads associated with the existing ACS, including Back Straight Road, W. Perimeter Road, and Entry Road. Views of the Project site are available from these roads. The San Gabriel Mountains are visible to the north from the north side of the Project site. The Jurupa Hills are visible to the south/southeast from the south side of the Project site. Fencing, walls, and landscape trees break up views of the Project site from Cherry Avenue. The existing grandstands associated with the existing ACS currently break up views across the Project site.

Scenic Vistas

A scenic vista can be defined as a viewpoint that provides expansive views of a highly-valued landscape for the benefit of the public. Within this portion of the County, views of elevated features with such scenic quality include the San Gabriel Mountains located to the north, as well as the Jurupa Hills located south/southeast south. Open space in this portion of the County generally consists of a mix of the foothills, utility corridors, parks, and waterways including the San Antonio River and associated tributaries.

The San Bernardino Countywide Plan's - Policy Plan does not officially designate any scenic vistas near the Project site. The Draft EIR for the Countywide Plan does note that the most dramatic of the vistas are those looking north toward the San Gabriel and San Bernardino Mountains, which contain some of Southern California's highest peaks. Southward vistas in some areas of the region include vistas of the Jurupa Hills.⁴

For the Fontana Sphere of Influence, the Countywide Plan Draft EIR notes that individual development or redevelopment projects could affect highly localized views. However, this area is sufficiently south of the

¹ ELMT Consulting, Inc. 2021. Biological Resources Assessment and Jurisdictional Waters Evaluation.

² Kleinfelder. 2021. Preliminary Report of Geotechnical Study. Page 5.

³ ELMT Consulting, Inc. 2021. Biological Resources Assessment and Jurisdictional Waters Evaluation.

⁴ County of San Bernardino. 2019. San Bernardino Countywide Plan Draft EIR. Aesthetics Element. Page 5.1-13. http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-01-AE.pdf (accessed September 2021).

San Gabriel Mountains and north of the Jurupa Hills to have a low potential to affect long-distance views of these ranges.⁵

Scenic Highways

There are no scenic highways officially designated by California Department of Transportation (Caltrans) within or adjacent to any of the Project sites. There are no roadways that are currently eligible for scenic highway designation in this unincorporated portion of the County. The closest eligible state scenic highway is the segment of State Route (SR) 142 from the Orange County Line to Peyton Drive in Chino Hills.⁶ The closest point of this segment is approximately 14 miles to the southwest. The closest officially designated state scenic highway is SR 2 from 2.7 miles north of SR 210 (La Cadena) to the San Bernardino County Line.⁷ The closest point of this segment is approximately 21 miles to the northwest. The closest County scenic route is Lytle Creek Canyon Drive, located approximately seven miles to the northeast.⁸

Light and Glare

Light and glare sources around the Project site are typical to those found in urban environments. Sources of light and glare include adjacent industrial, commercial, and roadways both from streetlights and vehicle headlights. Industrial and commercial uses in the vicinity of the Project site also produce some light and glare generally from stationary light sources from exterior building lighting (i.e., building illumination, security lighting, parking lot lighting, and landscape lighting) as well as interior lighting visible through windows and exterior sources. Light and glare being emitted from the Project site is that of the existing ACS and its associated track lighting and buildings. This is especially true during ACS races and events which require the use of lights to illuminate the track and parking facilities, as well as seating and accessory features. These events do not generate a daily light and glare effect for the surrounding area. Future developments within the Project area would be required to comply with lighting regulations included in the County's Development Code § 83.07.030 (Glare and Outdoor Lighting – Valley Region).

4.1.3 Regulatory Setting

State⁹

California Building Code: Building Energy Efficiency Standards

Energy conservation standards for new residential and non-residential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the California Energy Commission [CEC]) in June 1977 and most recently revised in 2019 (Title 24, Part 6, of the California Code of Regulations [CCR]). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. The CEC adopted the 2019 Building Energy Efficiency

⁵ Ibid.

⁶ Caltrans. 2018. *California State Scenic Highway System Map*. <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca> (accessed September 2021).

⁷ Ibid.

⁸ County of San Bernardino. 2020. *NR-3 Scenic Routes and Highway*. <https://www.arcgis.com/apps/webappviewer/index.html?id=01c32a4480954deba20af965275b81e7> (accessed September 2021).

⁹ County of San Bernardino. 2019. *San Bernardino Countywide Plan Draft EIR*. Aesthetics Element. Pages 5.1-1 through 5.1-2. http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-01-AE.pdf (accessed September 2021).

Standards, which went into effect on January 1, 2020. Title 24 requires outdoor lighting controls to reduce energy usage; in effect, this reduces outdoor lighting.

State Scenic Highways

California's Scenic Highway Program was created in 1963 with a purpose to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. A highway may be designated 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.

The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been officially designated. The status of a proposed state scenic highway changes from eligible to officially designated when the local governing body applies to Caltrans for scenic highway approval, adopts a Corridor Protection Program, and receives notification that the highway has been officially designated a Scenic Highway.

When a city or county nominates an eligible scenic highway for official designation, it must identify and define the scenic corridor of the highway. Scenic corridors consist of land that is visible from 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. The city or county must also adopt ordinances, zoning and/or planning policies to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes. These ordinances and/or policies make up the Corridor Protection Program.

In San Bernardino County, SR 38 from east of South Fork Campground to State Lane in the San Bernardino Mountains is classified by Caltrans as an "Officially Designated State Scenic Highway" and is part of the Rim of the World Scenic Byway. It is also considered a U.S. Forest Service Scenic Byway. Several other highways in the County are classified as "Eligible State Scenic Highway – Not Officially Designated."

Local

The Countywide Plan

The Countywide Plan sets forth the following goals and policies pertaining to visual resources and aesthetics:

Goal LU-2 **Land Use Mix and Compatibility.** An arrangement of land uses that balances the lifestyle of existing residents, the needs of future generations, opportunities for commercial and industrial development, and the value of the natural environment.

Policy LU-2.1 **Compatibility with existing uses.** We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing

Goal LU-4 **Community Design. Preservation and enhancement of unique community identities and their relationship with the natural environment.**

Policy LU-4.7 **Dark skies.** We minimize light pollution and glare to preserve views of the night sky, particularly in the Mountain and Desert regions where dark skies are fundamentally connected to community identities and local economies. We also promote the preservation of dark skies to assist the military in testing, training, and operations.

Policy LU-4.10 **Entry monumentation, signage, and public art.** We encourage the installation of durable signage, entry monumentation, and/or works of public art in commercial areas of unincorporated Community Planning Areas as a means of reinforcing a community's character, culture, heritage, or other unique features.

San Bernardino County Code of Ordinances¹⁰

The following provisions from the San Bernardino County Code of Ordinances, Title 8: Development Code (https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncity_ca/0-0-0-166578) help minimize aesthetic and light and glare impacts associated with new development projects and are relevant to the proposed Project.

- **Chapter 83.02 (General Development and Use Standards).** This chapter provides development standards that ensure an environment of stable and desirable character that is harmonious and compatible between existing and future development. Sections within this chapter detail requirements pertaining to maximum building heights, screening and buffering, setbacks, and allowed projections/structures within setbacks.
- **Chapter 83.06 (Fences, Hedges, and Walls).** This chapter establishes requirements for fences, hedges, and walls to ensure that these elements do not unnecessarily block views and sunlight; provide adequate buffering between different land uses, provide screening of outdoor uses and equipment; and provide for noise mitigation. Overall, the requirements are designed to provide aesthetic enhancement of the County. This chapter of the code discusses requirements for fences, hedges, and walls, including maximum height limit, walls required between different land uses, special wall/fencing for different uses, and prohibited fence materials.
- **Chapter 83.07 (Light Trespass).** This chapter encourages outdoor lighting practices and systems that minimize light pollution, glare, and light trespass; conserve energy and resources while maintaining nighttime safety, visibility, utility and productivity; and curtail the degradation of the nighttime visual environment. Section 83.07.050 provides standards for outdoor lighting in the Valley Region. These standards include the prohibition of light trespass from commercial and industrial sources on residential land use areas and public right of ways.
- **Chapter 83.10 (Landscaping Standards).** The purpose of this chapter is to enhance the aesthetic appearance of the County by providing standards related to the quality and functional aspects of landscaping. In addition to enhancing the aesthetic quality of the County, the landscaping standards are intended to benefit air and water quality, help prevent and manage erosion, offer

¹⁰ County of San Bernardino. 2019. *San Bernardino Countywide Plan Draft EIR*. Aesthetics Element. Pages 5.1-2 through 5.1-3. http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-01-AE.pdf (accessed September 2021).

fire protection, and replace valuable ecosystems that may be lost during development. These standards also encourage water conservation, efficient water management, natural vegetation preservation, and more.

- **Chapter 83.13 (Sign Regulations).** This chapter establishes regulations for signs and other exterior advertising formats helping to improve the appearance of the County and protect public and private investment in structures and open spaces.

4.1.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the site would have a significant environmental impact if one or more of the following occurs:

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

Methodology and Assumptions

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

Approach to Analysis

This analysis of impacts on aesthetic resources examines the temporary (i.e., construction) and permanent (i.e., operational) effects based on significance criteria/thresholds application outlined above. For each criterion, the analyses are generally divided into two main categories: (1) temporary (construction) impacts and (2) permanent (operations) impacts. Each criterion is discussed in the context of the Project site and the surrounding characteristics and geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are from: field observations conducted by Kimley-Horn personnel in December 2021; review of Project site plan, maps, and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including regional

planning documents. The determination that a Project component would or would not result in “substantial” adverse effects on scenic resources or visual character considers the site’s existing aesthetic resources and the severity of the Project’s visual impact (e.g., the nature and duration of the impact) during construction and operation. For example, a Project component resulting in a severe impact on a site with limited aesthetic resources would result in a less than significant impact concerning scenic or visual character. In other words, new conspicuous structures or visual changes in areas with a low aesthetic resource value may not necessarily result in substantial adverse effects on visual resources.

4.1.5 Impacts and Mitigation Measures

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

Level of Significance: Less than Significant Impact

Construction and Operations

Scenic vistas viewable from this point of the County include the San Gabriel Mountains located to the north, as well as the Jurupa Hills located to the south/southeast. These vistas provide an aesthetically pleasing natural backdrop for the County’s residents. While the San Bernardino Countywide Plan’s Policy Plan does not officially designate any scenic vistas near the Project site, the San Gabriel and San Bernardino mountains, along with the Jurupa Hills are still considered a valuable visual resource for the County, adjacent cities, and region. The San Gabriel and San Bernardino mountains are currently visible from Cherry Avenue and Calabash Avenue (north of the Project site). Views north of the San Gabriel and San Bernardino mountains from the south side of the Project site are partially obstructed by the existing ACS grandstands. The Jurupa Hills are currently not easily visible from the Project site.

Although the Project area is currently developed with existing ACS uses and associated structures, the redevelopment of the Project area would introduce new, vertical developments in the form of high-cube logistics/e-commerce and ancillary commercial buildings. Within the SCCIISP area, buildings would be permitted up to 125 feet in height within PA1a and PA2a as shown in **Figure 3-3: Conceptual Land Use Plan**. These proposed buildings and structures are visualized in **Appendix B**. These images simulate the visual changes that would occur due to the implementation of the Project. As shown in **Appendix B**, the presence of the high-cube logistics/e-commerce and ancillary commercial buildings would be visible to surrounding properties, but the buildings would not significantly impede the visibility of scenic vistas from street level or at various distances around the Project. Furthermore, existing buildings around the Project site and on the existing ACS site, including the grandstands, are of similar height and mass of the proposed high-cube logistics/e-commerce buildings. Therefore, due to the Project’s lack of diminishing effects on scenic vistas, a less than significant impact would occur, and no mitigation is required.

Mitigation Measures

No mitigation is necessary.

Impact 4.1-2 *Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

Level of Significance: No Impact

Construction and Operations

There are no state scenic highways within this unincorporated portion of the County. The closest eligible state scenic highway is the segment of SR 142 from the Orange County Line to Peyton Drive in Chino Hills.¹¹ The closest point of this segment is approximately 14 miles to the southwest. The closest officially designated state scenic highway is SR 2 from 2.7 miles north of SR 210 (La Cadena) to the San Bernardino County Line.¹² The closest point of this segment is approximately 21 miles to the northwest. Therefore, construction and operation of the Project site would not damage or obstruct a scenic resource (i.e., trees, rock outcroppings, or historic buildings) within a state scenic highway. No impact would occur.

Mitigation Measures

No mitigation is necessary.

Impact 4.1-3 *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Level of Significance: Less than Significant Impact

Construction and Operations

The Project site is within an urbanized area which is currently zoned Special Development – Commercial (SD-COM).¹³ Permitted uses within the SD (Special Development) land use zoning district includes residential, commercial, industrial, agricultural, open space and recreation uses, and similar and compatible uses. The -RES, -COM, -IND suffix denotes the land use focus. Special Development standards applicable to scenic quality are identified in **Table 4.1-1: SD Land Use Zoning District Development Standards**. Project consistency is also noted in the table.

¹¹ Caltrans. 2018. *California State Scenic Highway System Map*.

<https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca> (accessed September 2021).

¹² Ibid.

¹³ County of San Bernardino. ND. Public San Bernardino County Map Viewer.

<https://sbcounty.maps.arcgis.com/apps/MapSeries/index.html?appid=f5a50c44766b4c36a3ae014497aa430d> (accessed September 2021).

Table 4.1-1: SD Land Use Zoning District Development Standards

Development	Special Development (SD)	Project Consistency	SCCIISP
Setbacks	Minimum setbacks required. See Chapters 83.05 and 83.06 for exceptions, reductions, and encroachments. See Division 5 for any setback requirements applicable to specific land uses.		
Front	25 ft.	Yes	25 ft.
Side – Street side	25 ft.	Yes	25 ft.
Side – Interior	10 ft.	Yes	10-15 ft.
Rear	10 ft.	Yes	10 ft.
Floor Area Ratio	Maximum floor area ratio (FAR) allowed.		
Maximum FAR	0.5:1	Yes	0.5 Average
Lot Coverage	Maximum percentage of the total lot area that may be covered by structures and impervious surfaces.		
Maximum	80 percent	No	No max
Height Limit	Maximum allowed height of structures. See § 83.02.040 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.		
Maximum height	50 ft.	No	125 ft.
Source: County of San Bernardino. 2021. <i>Title 8: Development Code, Table 82-19B: IN and SD Land Use Zoning District Development Standards – Valley Region.</i> https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty_ca/0-0-0-70474 (accessed September 2021). SCCIISP = Speedway Commerce Center II Specific Plan			

It should be noted that while County's Development Code is intended to create consistent development standards in the region, it is not in and of itself intended to reduce impacts to the environment. Although some buildings proposed as part of the Project may exceed the established development standards of the Special Development zone, the specific plan establish guidelines and development standards to ensure consistent development within the plan area and compatibility with the adjacent land uses. Furthermore, the visual simulations conducted for the Project that apply the SCCIISP development standards (see **Appendix B**) identified no impacts to scenic vistas or visual resources as a result of building development. The Project would, nonetheless, comply with the development standards found within Chapter 83.06 (Fences, Hedges, and Walls), Chapter 83.07 (Glare and Outdoor Lighting), Chapter 83.10 (Landscaping Standards), and Chapter 83.13 (Sign Regulations) of the County's Development Code (except where these provisions are specifically addressed within the SCCIISP), which are discussed further under **Section 4.1.3**. Furthermore, the Project would be consistent with the Countywide Plan goals and policies listed under **Section 4.1.3**. Project compatibility with these goals and policies is presented in **Table 4.11-4: Consistency with the Countywide Plan of Section 4.11: Land Use and Planning**. Based on these findings, the Project would result in a less than significant impact and no mitigation is necessary.

Mitigation Measures

No mitigation is necessary.

Impact 4.1-4 *Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?*

Level of Significance: Less than Significant Impact

Construction and Operations

Existing sources of light and glare exist in the Project's immediate vicinity. Existing lighting sources include track lighting associated with the existing ACS, streetlights, outdoor safety and security lighting from adjacent developments including the industrial and commercial developments to the south, west, and east, and vehicle headlights from adjacent roadways and patrons of the ACS utilizing outfield roadways. Construction of the Project would be limited to the daytime hours of construction permitted (between the hours of 7:00 a.m. to 7:00 p.m. and would not occur on Sundays or Federal holidays as stated in the County Building Code Standards (§ 150.003 Construction: Hours of Construction) (unless otherwise approved by the County), and nighttime lighting would only be required seasonally. Along with the limited use of additional light sources due to daytime construction, light trespass would be negligible as the construction would not introduce substantially brighter light sources during the day. Therefore, no short-term impacts associated with light and glare would occur.

Once operational, the buildings would use interior and exterior lighting. Consistent with § 83.07.030 (Glare and Outdoor Lighting – Valley Region) of the County's Development Code, all exterior lighting used on the Project site would be fully shielded to preclude light pollution or light trespass on any of the following:

- 1) An abutting residential land use zoning district;
- 2) A residential parcel; or
- 3) Public right-of-way.

No structures or features that create adverse glare effects are permitted. Thus, all exterior lighting would be shielded/hooded to prevent light trespass onto nearby properties, as defined above. The high-cube logistics, e-commerce, and ancillary commercial buildings proposed for the Project would use a variety of non-reflective building materials, and although some new reflective improvements (i.e., windows and building front treatments) would be introduced to the Project site, the proposed buildings would not be a source of substantial glare in the area.

Lighting should be strategically placed to illuminate parking areas, docks/loading zones, and building entries. Lighting would utilize high-efficiency technologies, dark-sky cutoffs, strategic orientation to avoid spillover into adjacent properties, and open space areas, and appropriate shielding or recesses to minimize glare and reflections.

Public and private street lighting and parking lot lighting would meet County standards.

- Exterior lighting should be unobtrusive and not cause glare or spillover into neighboring properties, especially when within 100 feet of the freeway. Lighting fixtures must be fully shielded to direct illumination downward to minimize light pollution impacts.

- Adequate lighting should be provided throughout the site to create an inviting and non-threatening environment. Night lighting of public spaces should be kept to the minimum necessary for safety and security purposes while minimizing glare.
- The scale, materials, colors, and design detail of on-site light posts and fixtures should reflect the desired character of the Project area and the architectural style of the surrounding buildings.
 - Light posts should be appropriately scaled to pedestrians near sidewalks and other areas of pedestrian circulation.
 - Bollard lighting is encouraged to illuminate walkways without providing spillover.
- Energy efficient, low voltage lighting is strongly encouraged. Decorative lighting should be low intensity. LED lighting is also allowed.
- If security lighting is required, fixtures should be hooded, recessed, and/or located in such a manner to only illuminate the intended area.
- Addresses should be visible from streets and illuminated at night.

Additionally, improvements to two existing off-site private at-grade railroad crossings are proposed by the Project at the existing private streets that will be converted to new public Street A and new public Street D as well as planned improvements to an existing public crossing at San Bernardino Avenue. Although these offsite railroad crossings would introduce new sources of light to the Project area during nighttime hours (improvements to existing private rail crossings), the light usage would occur during nighttime hours. In addition, sensitive receptors are not located in the vicinity of the offsite railroad improvements. The County requires that light trespass be limited for commercial and industrial development adjacent to residential land uses. The nearest residential uses to the Project site are single family residences located approximately 410 feet northeast of the Project site, and approximately 6,500 feet (1.2 miles) from the nearest planned rail crossing improvements. As no residential land uses occur adjacent or directly nearby the Project site, substantial impacts from the railroad crossing lights are not anticipated.

Lastly, the Project would serve as a benefit to the surrounding area as the proposed structures would dampen (block or absorb) the light/glare effects associated with the bright lighting that would be put in place for the proposed NextGen motorsports facility races and events. Project buildings would surround the short track on three of its four sides. Note, however, that operation of racetrack and affiliated development lighting for the Next Gen motorsports facility is not associated with this site. The south side would not be surrounded by Project buildings; however, the south side is abutted by industrial development which does not fall under the avoidance categories listed above. Therefore, long-term impacts associated with light and glare would be less than significant.

Mitigation Measures

No mitigation is necessary.

4.1.6 Cumulative Impacts

For purposes of cumulative aesthetic impact analysis, cumulative impacts are considered for cumulative projects listed in **Table 4-1: Cumulative Projects List**. The cumulative study area for aesthetic impacts is the viewshed of the Project site and surrounding areas. The geographic context for cumulative aesthetic impacts would be viewsheds visible from the Project site. Cumulative developments would be those whose effects would cumulatively impact the San Gabriel and San Bernardino mountains as well as the Jurupa Hills. However, the Project area's developed state would minimize potential aesthetic impacts as future development would be less likely to stand out or contrast with established development patterns. Ongoing development within the Project area would have the potential to increase the amount of light and glare present. Each development in the cumulative study area would, however, be required to comply with policies and regulations set forth by the Countywide Plan and San Bernardino County Development Code. Consequently, cumulative development would not result in significant cumulative environmental impacts in conflict with aesthetics requirements for preserving visual character, public views, scenic vistas and resources, or requirements for minimizing and controlling potential light and glare. Therefore, the Project would not cause a cumulatively considerable impact on aesthetics, and no mitigation is required.

4.1.7 Significant Unavoidable Impacts

No significant or unavoidable impacts were identified.

4.1.8 References

Caltrans. 2018. *California State Scenic Highway System Map*.

<https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>.

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<https://sbcounty.maps.arcgis.com/apps/MapSeries/index.html?appid=f5a50c44766b4c36a3ae014497aa430d>.

County of San Bernardino. 2019. *San Bernardino Countywide Plan Draft EIR*. Aesthetics Element.

http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-01-AE.pdf.

County of San Bernardino. 2020. *NR-3 Scenic Routes and Highway*.

<https://www.arcgis.com/apps/webappviewer/index.html?id=01c32a4480954deba20af965275b81e7>.

County of San Bernardino. 2021. *Title 8: Development Code, Table 82-19B: IN and SD Land Use Zoning District Development Standards – Valley Region*.

https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty_ca/0-0-0-70474.

ELMT Consulting, Inc. 2021. *Biological Resources Assessment and Jurisdictional Waters Evaluation*.

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4.2 AGRICULTURE AND FORESTRY RESOURCES

4.2.1 Introduction

This section of the EIR evaluates the Speedway Commerce Center II Specific Plan (SCCIISP) Project's (Project) potential to impact agriculture and forestry resources in the unincorporated County. This section describes the environmental setting of the Project along with any applicable federal, state, regional and local regulations. Potential cumulative impacts to agriculture and forestry resources associated with Project development will also be assessed. As necessary, feasible mitigation measures will be proposed to avoid or minimize any potentially significant environmental impacts.

The following sources were reviewed to prepare this section:

- PaleoWest (2022). *Cultural Resource Assessment for The Speedway Commerce Center II Specific Plan Project, San Bernardino County, California* (located in EIR **Appendix E**).
- County of San Bernardino (2020). *San Bernardino Countywide Plan*.
- County of San Bernardino (2019). *San Bernardino Countywide Plan Draft Environmental Impact Report*.
- California Department of Conservation (DOC) (2016) *Farmland Mapping and Monitoring Program (FMMP)*.
- Other sources found in **Section 4.2.8: References**.

4.2.2 Environmental Setting

Project Site

The Project site is currently developed with motorsports/entertainment/commercial uses, specifically the Auto Club Speedway and Event Center and associated surface parking lots. The approximately 433-acre Project site is relatively flat land with elevations that range from 1,090 feet at the southwest corner of the site to 1,170 feet at the northeast corner of the site, sloping to the south and west.¹ According to the DOC Important Farmland Maps, the Project site is defined as Urban and Built-Up land;² additionally, no Forest Land is present on the Project site. Vegetation currently found on the Project site consists largely of ornamental landscaping including magnolia trees, palm trees, crape myrtle, and Podocarpus. One native plant community, California buckwheat scrub alliance, exists on the Project site and was planted in and around the basin to maintain slope integrity within the basin, and is thus not naturally-occurring.³ There are no Williamson Act Contract-designated parcels within the Project site or within the Fontana Sphere of

¹ Kleinfelder. 2021. Preliminary Report of Geotechnical Study.

² California Dept. of Conservation. 2016. California Important Farmland Finder. <https://maps.conservation.ca.gov/dlrp/ciff/> (accessed August 2021).

³ ELMT Consulting Inc. 2021. Speedway Commerce Center II Biological Resources Assessment and Jurisdictional Waters Evaluation. Pages 12 through 13. Santa Ana, CA: ELMT Consulting Inc.

Influence surrounding the Project site.⁴ There were 4,993 acres of Williamson Act lands in San Bernardino County in 2016. The Valley Region, where the Project is located, contributed 854 acres to that total.⁵

Regional

According to the most recent California Department of Conservation Farmland Conservation Report, the state has experienced a net loss of 44,869 acres of Prime Farmland and Farmland of Statewide Significance. During this same period, the State added 33,704 acres of Unique Farmland. Urban and Built-Up land remained generally consistent with the previous observation period (2012 through 2014) at 44,942 acres.⁶

Currently, the California DOC regularly reviews and reports on the status of Farmland by county jurisdiction. **Table 4.2-1: San Bernardino County 2014-2016 Land Use Conversion**, presents information from the 2014-2016 California Farmland Conversion Report for the County, the most recent data available.

Table 4.2-1: San Bernardino County 2014-2016 Land Use Conversion

Land Use Category	Total Acreage Inventoried		2014 – 2016 Acreage Changes			
	2014	2016	Acres Lost	Acres Gained	Total Acreage Changed	Net Acreage Changed
Prime Farmland	11,715	11,323	850	458	1,308	-392
Farmland of Statewide Importance	5,702	5,770	184	252	436	68
Unique Farmland	2,675	2,738	92	155	247	63
Farmland of Local Importance	605	562	118	75	193	-43
Important Farmland Subtotal	20,697	20,393	1,244	940	2,184	-304
Grazing Land	900,735	898,633	3,629	1,527	5,156	-2,102
Agricultural Land Subtotal	921,432	919,026	4,873	2,467	7,340	-2,406
Urban and Built-up Land	282,905	286,407	419	3,921	4,340	3,502
Other Land	244,700	243,604	2,540	1,444	3,984	-1,096
Water Area	510	510	0	0	0	0
Total Area Inventoried	1,449,547	1,449,547	7,832	7,832	15,664	0

Source: California Department of Conservation. 2019. *California Farmland Conversion Report 2014-2016*. Table A-28. https://www.conservation.ca.gov/dlrp/fmmp/Pages/2014-2016_Farmland_Conversion_Report.aspx (accessed August 2021).

In addition, the San Bernardino County Department of Agriculture/Weights & Measures (SBCDA) 2020 Crop Report provides an overview of agricultural production in the County, pursuant to the provisions of Sections 2272 and 2279 of the California Food and Agricultural Code.⁷ This report provides

⁴ County of San Bernardino. 2019. *Countywide Plan*. Section 5.2: Agriculture and Forestry Resources. Page 5.2-19.

http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-02-AG.pdf (accessed August 2021).

⁵ County of San Bernardino. 2019. *San Bernardino Countywide Plan Draft EIR*. Section 5.2: Agriculture and Forestry Resources. Page 5.2-6.

http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-02-AG.pdf (accessed September 2021).

⁶ California Department of Conservation. 2019. 2014-2016 Farmland Conversion Report. Retrieved from:

https://www.conservation.ca.gov/dlrp/fmmp/Pages/2014-2016_Farmland_Conversion_Report.aspx (Accessed March 22, 2022)

⁷ County of San Bernardino Department of Agriculture/Weights & Measures. 2021. *2020 Crop Report*.

<https://cms.sbcounty.gov/Portals/13/AWM%20CROP%20REPORT%202020%20080521.pdf?ver=2021-08-05-160649-640> (accessed September 2021).

the estimated production, acreage, and gross value of the agricultural industry in the County for the year 2020. **Table 4.2-2: San Bernardino County Top Ten Agricultural Products (by dollar value)** represents information from the SBCDA 2020 Crop Report summarizing primary sources of County agricultural production by dollar value.

In 2020, the total value of agricultural commodities in the County was \$420,251,000, representing a \$36,028,000 increase in value from 2019. This increase is primarily due to an increase in prices for navel oranges, milk, turf and strawberries, and an increase in egg production due to the recovery from Exotic Newcastle Disease, a deadly bird disease. Agriculture remains a critical component of the economy in San Bernardino County.⁸

Table 4.2-2: San Bernardino County Top Ten Agricultural Products (by dollar value)

2020 Rank	Product	Value	% of Total	2019 Rank
1	Milk & Milk Products	\$112,451,000	26.76%	1
2	Cattle, Calves & Dairy Cull	\$64,937,000	15.45%	2
3	Eggs	\$50,526,000	12.02%	3
4	Replacement Heifers	\$25,266,000	6.01%	4
5	Citrus Fruit	\$19,130,000	4.55%	8
6	Indoor Decorative	\$18,127,000	4.31%	6
7	Trees & Shrubs (Incl. Roses)	\$17,161,000	4.08%	5
8	Alfalfa (All Types)	\$15,612,000	3.71%	10
9	Turf	\$12,427,000	2.96%	7
10	Groundcover/Bedding Plants	\$8,198,000	1.95%	9
Total Top Ten: \$343,835,000				
Source: County of San Bernardino Department of Agriculture/Weights & Measures. 2021. <i>2020 Crop Report</i> . https://cms.sbcounty.gov/Portals/13/AWM%20CROP%20REPORT%202020%20080521.pdf?ver=2021-08-05-160649-640 (accessed September 2021).				

4.2.3 Regulatory Setting

Federal

Farmland Protection and Policy Act

The Farmland Protection and Policy Act (FPPA), United States Code (USC) Title 7 Section 4201, was enacted in 1981 to minimize the loss of prime and unique farmlands due to federal actions converting these lands to nonagricultural uses. It ensures that federal programs are consistent with state, local, and private programs and policies to protect farmland.

State

Farmland Mapping and Monitoring Program

Pursuant to California Government Code (CGC) Section 65570, the California DOC Farmland Mapping and Monitoring Program compiles important farmland maps for the state. These maps combine soil survey and current land use information to provide an inventory of agricultural resources in each county, based on data from the U.S. Department of Agriculture and Natural Resources Conservation Service. The maps

⁸ Ibid.

show urbanized lands and a qualitative sequence of agricultural designations. County, State, and Federal Agencies have established the following classifications of important agricultural land based on factors such as soil characteristics, climate, and water supply:

Prime Farmland. This land has the best combination of physical and chemical features and can sustain long-term agricultural production. The land has the soil quality, growing season, and moisture supply needed to produce sustained high yields, and it also must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

Farmland of Statewide Importance. Similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. The land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

Unique Farmland. This land has lesser-quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards. Land must also have been cultivated at some time during the four years prior to the mapping date.

Farmland of Local Importance. Land of importance to the local economy, as defined by each county's local advisory committee and adopted by its board of supervisors. This refers to all farmable lands in the county that do not meet the definitions of Prime, Statewide Importance, or Unique farmland. This includes land that is or has been used for irrigated pasture, dryland farming, confined livestock and dairy, poultry facilities, aquaculture, and grazing land.

Grazing Land. This land has existing vegetation that is suited to livestock grazing. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.

Urban and Built-Up Land. This land is occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad, and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

Other Land. This land is not included in any other mapping category. Common examples of this type of land include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines or borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land greater than 40 acres and surrounded on all sides by urban development is mapped as Other Land.

Note that CEQA focuses on impacts to three categories of mapped farmland—Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. In this section, the term “mapped important farmland” refers to these three categories of farmland combined.

California Land Conservation Act (Williamson Act)

The California Land Conservation Act, or Williamson Act, was adopted in 1965 (CGC §§ 51200 et. seq.). The act was established to encourage the preservation of agricultural lands in view of the increasing trend toward their “premature and unnecessary” urbanization. The act enables counties and cities to designate agricultural preserves (Williamson Act lands) and offer preferential taxation to agricultural landowners based on the land’s income-producing value. In return for the preferential tax rate, the landowner is required to sign a contract (Williamson contract) with the county or city agreeing not to develop the land for a minimum of 10 years. The contract is renewed automatically on its anniversary date unless a notice of nonrenewal or petition for cancellation is filed. Any land held in a Williamson Act contract will have to be filed for nonrenewal and the contract will have to be allowed to expire before any development occurs on it.

Local

The Countywide Plan

The County of San Bernardino Countywide Plan and Final EIR, certified on October 27, 2020, analyzed the proposed land uses of the Countywide Plan compared to existing conditions in the County to assess potential impacts to agricultural land uses. There were approximately 9,649 acres of mapped important farmland in the Valley Region of the County in 2016,⁹ concentrated in two areas: (1) East Valley region in the cities of Yucaipa and Redlands, and the unincorporated community of Mentone; and (2) southwest Valley region, mainly in the southern part of the City of Ontario and the southeast part of the City of Chino. There are no Countywide Plan goals or policies regarding farmland that pertain the Project, as the Project does not contain agricultural land or forestry resources.

San Bernardino County Code of Ordinances

The County’s Code of Ordinances, Title 8: Development Code contains regulations pertaining to agricultural resources in the County, including:

- **Chapter 82.03 (Agricultural and Resource Management Land Use Zoning Districts)**. The purpose of the individual agricultural and resource management land use zoning districts and the locations where they are applied are as specified in the General Plan. The AG land use zoning district provides sites for commercial agricultural operations, agriculture support services, rural residential uses, and similar and compatible uses. Open space and recreation use may occur on non-farmland lands within this AG land use district.¹⁰

4.2.4 Impact Thresholds and Significance Criteria

In evaluating whether a project may cause potentially significant impacts to agricultural resources, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California DOC as an optional model to assess impacts on agriculture and farmland. Because the Project site does not contain any mapped important farmland the model was not required to

⁹ Ibid. Page 5.2-3.

¹⁰ County of San Bernardino County. 2021. *Code of Ordinances – Development Code*.

https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncity_ca/0-0-0-70216#JD_Chapter82.01 (accessed September 2021).

quantify conversion of land to non-agricultural uses. In determining whether potential impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Because the Project site does not contain any land designated as forest land or zoned for forest or timberland, as defined in the Public Resources Code Section 12220(g), an analysis of state resources to evaluate potential impacts is not required.

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if it would:

- 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.
- Conflict with existing zoning agricultural use, or a Williamson Act contract.
- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)).
- Result in the loss of forest land or conversion of forest land to non-forest use.
- 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.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, to determine whether the Project would cause potentially significant impacts concerning agriculture and forestry resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. As applicable, feasible mitigation measures are recommended to avoid or reduce the Project's potentially significant environmental impacts.

Approach to Analysis

This analysis of impacts from agriculture and forestry examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on the significance criteria/thresholds outlined above. For each criterion, the analyses are generally divided into two main categories: (1) temporary (construction) impacts and (2) permanent (operational) impacts. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field observations conducted by Kimley-Horn personnel on December 14, 2021, review of Project maps and drawings, analysis of aerial and ground-

level photographs, and review of various data available in public records, including review of relevant regional planning documents. The determination that a Project component would or would not result in “substantial” adverse effects on agriculture and forestry resources considers the available policies and regulations established by state and regional agencies and any deviation from these policies proposed by the Project.

4.2.5 Impacts and Mitigation Measures

Impact 4.2-1 *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?*

Level of Significance: No Impact

Construction and Operations

Based on review of the California DOC Important Farmland maps, neither the Project site nor any adjacent land is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Project site and adjacent land are designated as Urban and Built-Up Land.¹¹ As such, the Project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to a non-agricultural use, and there is no impact.

Mitigation Measures

No mitigation is necessary.

Impact 4.2-2 *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

Level of Significance: No Impact

Construction and Operations

The Williamson Act allows local governments to contract with private landowners to maintain agricultural or open space uses in return for financial assistance in the form of lower tax assessments.¹² According to the San Bernardino County Land Use Web Map (2020), no portion of the Project site is zoned or designated for agricultural use, but instead is designated for Special Development – Commercial (SD-COM).¹³ The Project site is not in use for agricultural activities. Review of the San Bernardino County Assessor Parcels Under Open Space Contract Report (July 9, 2021) and Countywide Plan Exhibit NR-5 Agricultural Resources

¹¹ California Dept. of Conservation. 2016. *California Important Farmland Finder*. <https://maps.conservation.ca.gov/dlrp/ciff/> (accessed August 2021).

¹² California Department of Conservation. 2019. *Williamson Act Program*. Retrieved from: <https://www.conservation.ca.gov/dlrp/wa>

¹³ County of San Bernardino. 2020. *LU-1 Land Use Map*. <https://www.arcgis.com/apps/webappviewer/index.html?id=f23f04b0f7ac42e987099444b2f46bc2> (accessed September 2021).

show that the Project site is located on non-enrolled land.^{14,15} As well, historical map reviews conducted for the Project's Cultural Resource Assessment (CRA) found that although agricultural uses were present in the northern portion of the Project site in 1948, these uses were removed by the 1950s.¹⁶ Therefore, the Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract, and there is no impact.

Mitigation Measures

No mitigation is necessary.

Impact 4.2-3 *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))?*

Level of Significance: No Impact

Construction and Operations

According to the County's Official Zoning Map (2020), the Project site is predominately zoned Special Development—Commercial (SD-COM). Additionally, the corresponding land use designation of the Project site is currently Commercial (C).¹⁷ Therefore, no portion of the Project site is zoned forest land, timberland, or timberland zoned for timberland production and the Project would have no impact.

Mitigation Measures

No mitigation is necessary.

Impact 4.2-4 *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

Level of Significance: No Impact

Construction and Operations

According to the Land Cover layer in the California Department of Fish and Wildlife's BIO Viewer¹⁸, the majority of the Project site is classified as Developed. This, in combination with review of current and historic aerial imagery, demonstrates that no forest land exists within the Project site area. Therefore, the Project would not result in the loss of forest land or conversion of forest land to non-forest use, and there is no impact.

¹⁴ San Bernardino County Assessor-Recorder-Clerk. 2021. *Parcels Under Open Space Contract Report – 07/09/2021*.

<https://secureservercdn.net/192.169.221.188/787.15f.myftpupload.com/wp-content/uploads/2021/07/NPP874-WilliamsonActParcels.pdf> (accessed September 2021).

¹⁵ County of San Bernardino. 2020. *NR-5 Agricultural Resources*.

<https://www.arcgis.com/apps/webappviewer/index.html?id=fcb9bc427d2a4c5a981f97547a0e3688> (accessed September 2021).

¹⁶ PaleoWest. 2022. Cultural Resource Assessment for The Speedway Commerce Center II Specific Plan Project, Page 19, San Bernardino County, California.

¹⁷ County of San Bernardino. 2020. LU-1 Land Use Map.

<https://www.arcgis.com/apps/webappviewer/index.html?id=f23f04b0f7ac42e987099444b2f46bc2>. (accessed August 2021).

¹⁸ CDFW. ND. BIOS, NLCD 2016 Land Cover layer. <https://apps.wildlife.ca.gov/bios/?bookmark=940> (accessed November 2021).

Mitigation Measures

No mitigation is necessary.

Impact 4.5-5 *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?*

Level of Significance: No Impact

Construction and Operations

As discussed above under Impacts 4.2-1 and 4.2-3, neither the Project site nor this portion of the unincorporated County contain areas designated for agriculture, forest land, or timberland. The County does not have land use designations specific to these resources. County land use designations that do allow farmland and forest land include Rural Living (RL), Very Low Density Residential (VLDR), Resource/Land Management (RLM), and Open Space (OS); none of which are present in this unincorporated portion of the County. Therefore, no impacts related to the conversion of farmland or forest land would occur.

Mitigation Measures

No mitigation is necessary.

4.2.6 Cumulative Impacts

As discussed above, implementation of the Project would have no impact on agricultural or forestry resources. The Project site is zoned SD-COM and there are no agricultural, forest land, or timberland zoning designated resources in the portion of the unincorporated County where the Project site is located. Further, redevelopment of the Project site would not pose an impact to the County's agricultural economy since the land is not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and this land would not be considered suitable for sustained agricultural activities. The Project site is classified as Urban and Built-Up Land by the California DOC. Because the Project would not have any impact on agriculture and forestry resources, it would not contribute to an existing cumulative impact, even when combined with past, present and future projects; thus, the Project's contribution would not be cumulatively considerable.

4.2.7 Significant Unavoidable Impacts

No significant and unavoidable impacts concerning agriculture and forestry resources have been identified.

4.2.8 References

California Department of Conservation. 2016. *California Important Farmland Finder*.

<https://maps.conservation.ca.gov/dlrp/ciff/>.

- California Department of Conservation. *California Farmland Conversion Report 2014-2016*. Table A-28. https://www.conservation.ca.gov/dlrp/fmmp/Pages/2014-2016_Farmland_Conversion_Report.aspx.
- California Department of Forestry and Fire Protection, et al. 2018. *Tree Mortality Viewer – Vegetation Layer*. <http://egis.fire.ca.gov/TreeMortalityViewer/>.
- County of San Bernardino. 2019. *Countywide Plan*. Section 5.2: Agriculture and Forestry Resources. Page 5.2-19. http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-02-AG.pdf.
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- County of San Bernardino County. 2021. *Code of Ordinances – Development Code*. https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty_ca/0-0-0-70216#JD_Chapter82.01.
- County of San Bernardino Assessor-Recorder-Clerk. 2021. *Parcels Under Open Space Contract Report – 07/09/2021*. <https://secureservercdn.net/192.169.221.188/787.15f.myftpupload.com/wp-content/uploads/2021/07/NPP874-WilliamsonActParcels.pdf>.
- County of San Bernardino Department of Agriculture/Weights & Measures. 2021. *2020 Crop Report*. <https://cms.sbcounty.gov/Portals/13/AWM%20CROP%20REPORT%202020%20080521.pdf?ver=2021-08-05-160649-640>.
- PaleoWest. 2022. *Cultural Resource Assessment for The Speedway Commerce Center II Specific Plan Project*, San Bernardino County, California.

4.3 AIR QUALITY

4.3.1 Introduction

This section of the Draft Environmental Impact Report (EIR) discusses potential air quality impacts associated with development and implementation of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project). The current conditions were observed as the baseline for the analysis and were compared to the potential effects anticipated for the Project. The ambient air quality of the local and regional area is described, along with relevant federal, state, and local air pollutant regulations. Air quality technical studies are listed below and the studies, along with air quality emission modeling results for the Project, are provided in **Appendix C: Air Quality Assessment**.

- Kimley-Horn and Associates, Inc. (2022). *Air Quality Assessment*.
- Kimley-Horn and Associates, Inc. (2022). *Health Risk Assessment*.

4.3.2 Environmental Setting

Climate and Meteorology

The California Air Resources Board (CARB) divides the State into 15 air basins that share similar meteorological and topographical features. The Project is located within the South Coast Air Basin (SCAB), which includes the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, as well as all of Orange County. The SCAB is on a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean on the southwest and high mountains forming the remainder of the perimeter.¹ Air quality in this area is determined by such natural factors as topography, meteorology, and climate, in addition to the presence of existing air pollution sources and ambient conditions. These factors along with applicable regulations are discussed below.

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

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

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

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

Wind patterns across the SCAB are characterized by westerly or southwesterly onshore winds during the day and easterly or northeasterly breezes at night. Wind speed is typically higher during the dry summer months than during the rainy winter months. Between periods of wind, air stagnation may occur in both the morning and evening hours. Air stagnation is one of the critical determinants of air quality conditions on any given day. During winter and fall, surface high-pressure systems over the SCAB, combined with other meteorological conditions, result in very strong, downslope Santa Ana winds. These winds normally continue for a few days before predominant meteorological conditions are reestablished.

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

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

Air Pollutants of Concern

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

Primary air pollutants are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NO_x), sulfur dioxide (SO₂), coarse particulate matter (PM₁₀), fine particulate matter (PM_{2.5}), and lead are primary air pollutants. Of these, CO, NO_x, SO₂, PM₁₀, and PM_{2.5} are criteria pollutants. ROG and NO_x are criteria pollutant precursors and form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere. For example, the criteria pollutant ozone (O₃) is formed by a chemical reaction between ROG and NO_x in the presence of sunlight. O₃ and nitrogen dioxide (NO₂) are the principal secondary pollutants. Sources and health effects commonly associated with criteria pollutants are summarized in **Table 4.3-1: Air Contaminants and Associated Public Health Concerns**.

Table 4.3-1: Air Contaminants and Associated Public Health Concerns

Pollutant	Major Man-Made Sources	Human Health Effects
Particulate Matter (PM ₁₀ and PM _{2.5})	Power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles, and others.	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; asthma; chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility.
Ozone (O ₃)	Formed by a chemical reaction between reactive organic gases/volatile organic compounds (ROG or VOC) ¹ and nitrogen oxides (NO _x) in the presence of sunlight.	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity;

Pollutant	Major Man-Made Sources	Human Health Effects
	Motor vehicle exhaust industrial emissions, gasoline storage and transport, solvents, paints and landfills.	aggravates lung and heart problems. Damages plants; reduces crop yield.
Sulfur Dioxide (SO ₂)	A colorless gas formed when fuel containing sulfur is burned and when gasoline is extracted from oil. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid which can damage marble, iron and steel. Damages crops and natural vegetation. Impairs visibility. Precursor to acid rain.
Carbon Monoxide (CO)	An odorless, colorless gas formed when carbon in fuel is not burned completely; a component of motor vehicle exhaust.	Reduces the ability of blood to deliver oxygen to vital tissues, affecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO ₂)	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Sources include motor vehicles, electric utilities, and other sources that burn fuel.	Respiratory irritant; aggravates lung and heart problems. Precursor to O ₃ . Contributes to global warming and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.
Lead (Pb)	Lead is a metal found naturally in the environment as well as in manufactured products. The major sources of lead emissions have historically been motor vehicles (such as cars and trucks) and industrial sources. Due to the phase out of leaded gasoline, metals processing is the major source of lead emissions to the air today. The highest levels of lead in air are generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery manufacturers.	Exposure to lead occurs mainly through inhalation of air and ingestion of lead in food, water, soil, or dust. It accumulates in the blood, bones, and soft tissues and can adversely affect the kidneys, liver, nervous system, and other organs. Excessive exposure to lead may cause neurological impairments such as seizures, mental retardation, and behavioral disorders. Even at low doses, lead exposure is associated with damage to the nervous systems of fetuses and young children, resulting in learning deficits and lowered IQ.
¹ Volatile Organic Compounds (VOCs or Reactive Organic Gases [ROG]) are hydrocarbons/organic gases that are formed solely of hydrogen and carbon. There are several subsets of organic gases including ROGs and VOCs. Both ROGs and VOCs are emitted from the incomplete combustion of hydrocarbons or other carbon-based fuels. The major sources of hydrocarbons are combustion engine exhaust, oil refineries, and oil-fueled power plants; other common sources are petroleum fuels, solvents, dry cleaning solutions, and paint (via evaporation).		
Source: California Air Pollution Control Officers Association (CAPCOA). ND. <i>Health Effects</i> . http://www.capcoa.org/health-effects/ (accessed August 2020).		

Toxic Air Contaminants

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

CARB identified diesel particulate matter (DPM) as a TAC. DPM differs from other TACs in that it is not a single substance but rather a complex mixture of hundreds of substances. Diesel exhaust is a complex

mixture of particles and gases produced when an engine burns diesel fuel. DPM is a concern because it causes lung cancer; many compounds found in diesel exhaust are carcinogenic. Some of these compounds include arsenic, benzene, formaldehyde, and nickel. CARB estimates that about 70 percent of the cancer risk that the average Californian faces from breathing TACs stems from diesel exhaust particles. DPM includes the particle-phase constituents in diesel exhaust. The chemical composition and particle sizes of DPM vary between different engine types (heavy-duty, light-duty), engine operating conditions (idle, accelerate, decelerate), fuel formulations (high/low sulfur fuel), and the year of the engine. Some short-term (acute) effects of diesel exhaust include eye, nose, throat, and lung irritation, and diesel exhaust can cause coughs, headaches, light-headedness, and nausea. DPM poses the greatest health risk among the TACs. Almost all diesel exhaust particle mass is 10 microns or less in diameter. Due to their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung.

Ambient Air Quality

CARB monitors ambient air quality at approximately 250 air monitoring stations across the State. These stations usually measure pollutant concentrations ten feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations. Existing levels of ambient air quality, historical trends, and projections near the Project are documented by measurements made by the South Coast Air Quality Management District (SCAQMD), the air pollution regulatory agency in the SCAB that maintains air quality monitoring stations which process ambient air quality measurements.

Pollutants of concern in the SCAB include O₃, PM₁₀, and PM_{2.5}. The closest air monitoring station to the Project that monitors ambient concentrations of these pollutants is the Fontana-Arrow Highway Monitoring Station (located approximately 4,000 feet to the northeast). Local air quality data from 2017 to 2019 are provided in **Table 4.3-2: Ambient Air Quality Data**, which lists the monitored maximum concentrations and number of exceedances of state or federal air quality standards for each year.

Table 4.3-2: Ambient Air Quality Data

Criteria Pollutant	2018	2019	2020
Ozone (O₃)¹			
1-hour Maximum Concentration (ppm)	0.141	0.124	0.151
8-hour Maximum Concentration (ppm)	0.111	0.109	0.111
<i>Number of Days Standard Exceeded</i>			
CAAQS 1-hour (>0.09 ppm)	38	41	56
NAAQS 8-hour (>0.070 ppm)	69	67	89
Carbon Monoxide (CO)¹			
1-hour Maximum Concentration (ppm)	4.688	1.579	1.934
<i>Number of Days Standard Exceeded</i>			
NAAQS 1-hour (>35 ppm)	0	0	0
CAAQS 1-hour (>20 ppm)	0	0	0
Nitrogen Dioxide (NO₂)¹			
1-hour Maximum Concentration (ppm)	0.063	0.076	0.066
<i>Number of Days Standard Exceeded</i>			
NAAQS 1-hour (>0.100 ppm)	0	0	0
CAAQS 1-hour (>0.18 ppm)	0	0	0

Criteria Pollutant	2018	2019	2020
Particulate Matter Less Than 10 Microns (PM₁₀)¹			
National 24-hour Maximum Concentration	64.1	88.8	76.8
State 24-hour Maximum Concentration	61.5	85.1	73.6
State Annual Average Concentration (CAAQS=20 µg/m ³)	—	—	—
<i>Number of Days Standard Exceeded</i>			
NAAQS 24-hour (>150 µg/m ³)	0	0	0
CAAQS 24-hour (>50 µg/m ³)	8	11	6
Particulate Matter Less Than 2.5 Microns (PM_{2.5})¹			
National 24-hour Maximum Concentration	29.2	81.3	57.6
State 24-hour Maximum Concentration	29.2	81.3	57.6
<i>Number of Days Standard Exceeded</i>			
NAAQS 24-hour (>35 µg/m ³)	0	3	4
NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million. µg/m ³ = micrograms per cubic meter; — = not measured			
¹ Measurements taken at the Fontana-Arrow Highway Monitoring Station at 14360 Arrow Boulevard, Fontana, California 92335 (CARB# 36197)			
Source: All pollutant measurements are from the CARB Aerometric Data Analysis and Management system database (https://www.arb.ca.gov/adam) except for CO, which were retrieved from the CARB Air Quality and Meteorological Information System (https://www.arb.ca.gov/aqmis2/aqdsselect.php).			

Sensitive Receptors

Sensitive populations are more susceptible to the effects of air pollution than is the general population. Sensitive receptors that are in proximity to localized sources of toxins are of particular concern. Land uses considered sensitive receptors include single-family residential units, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. The Project site is mainly surrounded by industrial land uses to the south, west, north, and east with few scattered residential and commercial units to the north and east. Sensitive land uses nearest to the Project are shown in **Table 4.3-3: Sensitive Receptors**.

Table 4.3-3: Sensitive Receptors

Receptor Description	Distance and Direction from the Project
Single-family Residential Unit	410 feet to the northeast
Single-family Residential Unit(s)	540 feet to the northeast
Single-family Residential Unit(s)	675 feet to the north
Paduma Monastery	1,100 feet to the north
Single-family Residential Unit(s)	1,300 feet to the east
Redwood Elementary School	1,370 feet to the northeast
Single-family Residential Unit(s)	1,800 feet to the north
Living Waters Ministry Church of God in Christ	2,000 feet to the north
Single-family Residential Unit(s)	2,100 feet to the north
Source: Google Earth, 2021.	

4.3.3 Regulatory Setting

Federal

Federal Clean Air Act

Air quality is federally protected by the Federal Clean Air Act (FCAA) and its amendments. Under the FCAA, the U.S. Environmental Protection Agency (EPA) developed the primary and secondary National Ambient Air Quality Standards (NAAQS) for the criteria air pollutants including O₃, NO₂, CO, SO₂, PM₁₀, PM_{2.5}, and lead. Proposed projects in or near nonattainment areas could be subject to more stringent air-permitting

requirements. The FCAA requires each state to prepare a State Implementation Plan to demonstrate how it will attain the NAAQS within the federally imposed deadlines.

The U.S. EPA can withhold certain transportation funds from states that fail to comply with the planning requirements of the FCAA. If a state fails to correct these planning deficiencies within two years of Federal notification, the U.S. EPA is required to develop a Federal implementation plan for the identified nonattainment area or areas. The provisions of 40 Code of Federal Regulations (CFR) Parts 51 and 93 apply in all nonattainment and maintenance areas for transportation-related criteria pollutants for which the area is designated nonattainment or has a maintenance plan. The U.S. EPA has designated enforcement of air pollution control regulations to the individual states. Applicable federal standards are summarized in **Table 4.3-4: State and Federal Ambient Air Quality Standards**.

Federal Emissions Standards for On-Road Trucks

To reduce emissions from on-road, heavy-duty diesel trucks, the U.S. EPA established a series of increasingly strict emission standards for new engines, starting in 1988. The U.S. EPA promulgated the final and cleanest standards with the 2007 Heavy-Duty Highway Rule. The PM emission standard of 0.01 gram per horsepower-hour (g/hp-hr) is required for new vehicles beginning with model year 2007. Also, the NO_x and nonmethane hydrocarbon (NMHC) standards of 0.20 g/hp-hr and 0.14 g/hp-hr, respectively, were phased in together between 2007 and 2010 on a percent of sales basis: 50 percent from 2007 to 2009 and 100 percent in 2010.

Emissions Standards for Off-road Diesel Engines

To reduce emissions from off-road diesel equipment, the U.S. EPA established a series of cleaner emission standards for new off-road diesel engines. Tier 1 standards were phased in from 1996 to 2000 (year of manufacture), depending on the engine horsepower category. Tier 2 standards were phased in from 2001 to 2006. Tier 3 standards were phased in from 2006 to 2008. Tier 4 standards, which generally require add-on emission control equipment to attain them, were phased in from 2008 to 2015.

State

California Air Resources Board

CARB administers the air quality policy in California. The California Ambient Air Quality Standards (CAAQS) were established in 1969 pursuant to the Mulford-Carrell Act. These standards, included with the NAAQS in **Table 4.3-4**, are generally more stringent and apply to more pollutants than the NAAQS. In addition to the criteria pollutants, CAAQS have been established for visibility reducing particulates, hydrogen sulfide, and sulfates.

The California Clean Air Act (CCAA), which was approved in 1988, requires that each local air district prepare and maintain an Air Quality Management Plan (AQMP) to achieve compliance with CAAQS. These AQMPs also serve as the basis for the preparation of the State Implementation Plan for meeting federal clean air standards for the State of California. Like the U.S. EPA, CARB also designates areas within California as either attainment or nonattainment for each criteria pollutant based on whether the CAAQS have been achieved. Under the CCAA, areas are designated as nonattainment for a pollutant if air quality

data shows that a state standard for the pollutant was violated at least once during the previous three calendar years. Exceedances that are affected by highly irregular or infrequent events such as wildfires, volcanoes, etc. are not considered violations of a state standard, and are not used as a basis for designating areas as nonattainment. The applicable State standards are summarized in **Table 4.3-4**.

Table 4.3-4: State and Federal Ambient Air Quality Standards

Pollutant	Averaging Time	State Standards ¹	Federal Standards ²
Ozone (O ₃) ^{2, 5, 7}	8 Hour	0.070 ppm (137 µg/m ³)	0.070 ppm
	1 Hour	0.09 ppm (180 µg/m ³)	NA
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m ³)	9 ppm (10 mg/m ³)
	1 Hour	20 ppm (23 mg/m ³)	35 ppm (40 mg/m ³)
Nitrogen Dioxide (NO ₂)	1 Hour	0.18 ppm (339 µg/m ³)	0.10 ppm ¹¹
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)	0.053 ppm (100 µg/m ³)
Sulfur Dioxide (SO ₂) ⁸	24 Hour	0.04 ppm (105 µg/m ³)	0.14 ppm (365 µg/m ³)
	1 Hour	0.25 ppm (655 µg/m ³)	0.075 ppm (196 µg/m ³)
	Annual Arithmetic Mean	NA	0.03 ppm (80 µg/m ³)
Particulate Matter (PM ₁₀) ^{1, 3, 6}	24-Hour	50 µg/m ³	150 µg/m ³
	Annual Arithmetic Mean	20 µg/m ³	NA
Fine Particulate Matter (PM _{2.5}) ^{3, 4, 6, 9}	24-Hour	NA	35 µg/m ³
	Annual Arithmetic Mean	12 µg/m ³	12 µg/m ³
Sulfates (SO ₄₋₂)	24 Hour	25 µg/m ³	NA
Lead (Pb) ^{10, 11}	30-Day Average	1.5 µg/m ³	NA
	Calendar Quarter	NA	1.5 µg/m ³
	Rolling 3-Month Average	NA	0.15 µg/m ³
Hydrogen Sulfide (H ₂ S)	1 Hour	0.03 ppm (42 µg/m ³)	NA
Vinyl Chloride (C ₂ H ₃ Cl) ¹⁰	24 Hour	0.01 ppm (26 µg/m ³)	NA

Notes:

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

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

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

³ Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM₁₀ is met if the 3-year average falls below the standard at every site. The annual PM_{2.5} standard is met if the 3-year average of annual averages spatially-averaged across officially designed clusters of sites falls below the standard. NAAQS are set by the U.S. EPA at levels determined to be protective of public health with an adequate margin of safety.

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

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

Pollutant	Averaging Time	State Standards ¹	Federal Standards ²
⁶	In June 2002, CARB established new annual standards for PM _{2.5} and PM ₁₀ .		
⁷	The 8-hour California O ₃ standard was approved by the CARB on April 28, 2005 and became effective on May 17, 2006.		
⁸	On June 2, 2010, the U.S. EPA established a new 1-hour SO ₂ standard, effective August 23, 2010, which is based on the 3-year average of the annual 99 th percentile of 1-hour daily maximum concentrations. The existing 0.030 ppm annual and 0.14 ppm 24-hour SO ₂ NAAQS however must continue to be used until one year following U.S. EPA initial designations of the new 1-hour SO ₂ NAAQS.		
⁹	In December 2012, U.S. EPA strengthened the annual PM _{2.5} NAAQS from 15.0 to 12.0 µg/m ³ . In December 2014, the U.S. EPA issued final area designations for the 2012 primary annual PM _{2.5} NAAQS. Areas designated “unclassifiable/attainment” must continue to take steps to prevent their air quality from deteriorating to unhealthy levels. The effective date of this standard is April 15, 2015.		
¹⁰	CARB has identified lead and vinyl chloride as ‘toxic air contaminants’ with no threshold level of exposure below which there are no adverse health effects determined.		
¹¹	National lead standards, rolling 3-month average: final rule signed October 15, 2008. Final designations effective December 31, 2011.		
Sources: South Coast Air Quality Management District. 2016. <i>Air Quality Management Plan</i> ; California Air Resources Board. 2016. <i>Ambient Air Quality Standards</i> .			

Diesel Risk Reduction Plan

The identification of DPM as a TAC in 1998 led CARB to adopt the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles (DRRP) in October 2000. The DRRP's goals include an 85 percent reduction in DPM by 2020 from the 2000 baseline. CARB estimates that emissions of DPM in 2035 will be less than half those in 2010, further reducing statewide cancer risk and non-cancer health effects. The DRRP includes regulations to establish cleaner new diesel engines, cleaner in-use diesel engines (retrofits), and cleaner diesel fuel.

Truck and Bus Regulation Reducing Emissions from Existing Diesel Vehicles

On December 12, 2008, CARB approved the Truck and Bus Regulation to significantly reduce particulate matter (PM) and oxides of nitrogen (NO_x) emissions from existing diesel vehicles operating in California. The regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Heavier trucks must be retrofitted with PM filters beginning January 1, 2012, and older trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses would need to have 2010 model year engines or equivalent.

The regulation applies to most privately and federally owned diesel fueled trucks and buses and to privately and publicly owned school buses with a gross vehicle weight rating (GVWR) greater than 14,000 pounds. Small fleets with three or fewer diesel trucks can delay compliance for heavier trucks and there are several extensions for low-mileage construction trucks, early PM filter retrofits, adding cleaner vehicles, and other situations. Privately and publicly owned school buses have different requirements.

Multiple Air Toxics Exposure Study

The SCAQMD conducted an in-depth analysis of the toxic air contaminants and their resulting health risks for all of Southern California. The Multiple Air Toxics Exposure Study in the SCAB (MATES V) (August 2021) shows that carcinogenic risk from air toxics in the SCAB, based on the average concentrations at the 10 monitoring sites, is approximately 40 percent lower than the monitored average in MATES IV and 84 percent lower than the average in MATES II.

MATES V is the most comprehensive dataset documenting the ambient air toxic levels and health risks associated with the SCAB emissions. Therefore, MATES V study represents the baseline health risk for a cumulative analysis. MATES V estimates the average excess cancer risk level from exposure to TACs is 424 in one million basin wide. In comparison, the MATES IV basin average risk was 897 per million. These

model estimates were based on monitoring data collected at ten fixed sites within the SCAB. None of the fixed monitoring sites are near the Project site. However, MATES V has extrapolated the excess cancer risk levels throughout the SCAB by modeling the specific grids. MATES V modeling predicted an excess cancer risk of 286 in one million for the Project area². DPM is included in this cancer risk along with all other TAC sources. DPM accounts for 72.4 percent of the total risk shown in MATES V in this area.

Regional

South Coast Air Quality Management District

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

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

The 2016 AQMP was adopted by the SCAQMD Governing Board on March 3, 2017. The purpose of the AQMP is to set forth a comprehensive and integrated program that would lead the SCAB into compliance with the federal 24-hour PM_{2.5} air quality standard, and to provide an update to the SCAQMD's commitments towards meeting the federal 8-hour O₃ standards. The AQMP incorporates the latest scientific and technological information and planning assumptions, including the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and updated emission inventory methodologies for various source categories.

The SCAQMD has published the California Environmental Quality Act (CEQA) Air Quality Handbook (approved by the SCAQMD Governing Board in 1993 and augmented with guidance for Local Significance Thresholds [LST] in 2008). The SCAQMD guidance helps local government agencies and consultants to develop environmental documents required by CEQA and provides identification of suggested thresholds of significance for criteria pollutants for both construction and operation (see discussion of thresholds below). With the help of the CEQA Air Quality Handbook and associated guidance, local land use planners and consultants are able to analyze and document how proposed and existing projects affect air quality

² South Coast Air Quality Management District. ND. *MATES V Estimated Risk*, https://experience.arcgis.com/experience/79d3b6304912414bb21ebdde80100b23/page/home/?data_id=dataSource_105-a5ba9580e3aa43508a793fac819a5a4d%3A315&views=view_38%2Cview_1.

in order to meet the requirements of the CEQA review process. The SCAQMD periodically provides supplemental guidance and updates to the handbook on their website.

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

The state and federal attainment status designations for the SCAB are summarized in **Table 4.3-5: South Coast Air Basin Attainment Status**. The SCAB is currently designated as a nonattainment area with respect to the State O₃, PM₁₀, and PM_{2.5} standards, as well as the national 8-hour O₃ and PM_{2.5} standards. The SCAB is designated as attainment or unclassified for the remaining state and federal standards.

Table 4.3-5: South Coast Air Basin Attainment Status

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

Source: South Coast Air Quality Management District. 2016. *Air Quality Management Plan*; United States Environmental Protection Agency. 2021. *Nonattainment Areas for Criteria Pollutants (Green Book)*.

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

- **Rule 402 (Nuisance)** – This rule prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.
- **Rule 403 (Fugitive Dust)** – This rule requires fugitive dust sources to implement best available control measures for all sources, and all forms of visible particulate matter are prohibited from crossing any property line. This rule is intended to reduce PM₁₀ emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. PM₁₀ suppression techniques are summarized below.
 - a) Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
 - b) All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
 - c) All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
 - d) The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
 - e) Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.
- **Rule 1113 (Architectural Coatings)** – This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce ROG emissions from the use of these coatings, primarily by placing limits on the ROG content of various coating categories.
- **Rule 2305 (Warehouse Indirect Source Rule)** - Rule 2305 was adopted by the SCAQMD Governing Board on May 7, 2021 to reduce NO_x and particulate matter emissions associated with warehouses and mobile sources attracted to warehouses. This rule applies to all existing and proposed warehouses over 100,000 square feet located in the SCAQMD. Rule 2305 requires warehouse operators to track annual vehicle miles traveled associated with truck trips to and from the warehouse. These trip miles are used to calculate the warehouses WAIRE (Warehouse Actions and Investments to Reduce Emissions) Points Compliance Obligation. WAIRE Points are earned based on emission reduction measures and warehouse operators are required to submit an annual WAIRE Report which includes truck trip data and emission reduction measures. Reduction strategies listed in the WAIRE menu include: acquire zero emission (ZE) or near zero emission (NZE) trucks; require ZE/NZE truck visits; require ZE yard trucks; install on-site ZE

charging/fueling infrastructure; install on-site energy systems; and install filtration systems in residences, schools, and other buildings in the adjacent community. Warehouse operators that do not earn a sufficient number of WAIRE points to satisfy the WAIRE Points Compliance Obligation would be required to pay a mitigation fee. Funds from the mitigation fee will be used to incentivize the purchase of cleaner trucks and charging/fueling infrastructure in communities nearby.

Local

The Countywide Plan

The County of San Bernardino Countywide Policy Plan contains the following goal and policies that address air quality as part of the Natural Resources Element:

- Goal NR-1:** **Air quality that promotes health and wellness of residents in San Bernardino County through improvements in locally-generated emissions.**
- Policy NR-1.2:** **Indoor air quality.** We promote the improvement of indoor air quality through the California Building and Energy Codes and through the provision of public health programs and services.
- Policy NR-1.3:** **Coordination on air pollution.** We collaborate with air quality management districts and other local agencies to monitor and reduce major pollutants affecting the county at the emission source.
- Policy NR-1.6:** **Fugitive dust emissions.** We coordinate with air quality management districts on requirements for dust control plans, revegetation, and soil compaction to prevent fugitive dust emissions.
- Policy NR-1.8:** **Construction and operations.** We invest in County facilities and fleet vehicles to improve energy efficiency and reduce emissions. We encourage County contractors and other builders and developers to use low-emission construction vehicles and equipment to improve air quality and reduce emissions.
- Policy NR-1.9:** **Building design and upgrades.** We use the CALGreen Code to meet energy efficiency standards for new buildings and encourage the upgrading of existing buildings to incorporate design elements, building materials, and fixtures that improve environmental sustainability and reduce emissions.

San Bernardino County Code of Ordinances

The San Bernardino County Code of Ordinances establishes the following air quality provisions relative to the Project.

Section 83.01.040 Air Quality

- A. *Equipment Permit and Inspection Requirements.* Required permits shall be obtained from either the Mojave Air Pollution Management District or the SCAQMD depending on the location of the subject property and equipment for equipment that may cause air pollution. Before the equipment may be constructed, plans and specifications shall be submitted to the appropriate District for approval.

- B. *Permits from Air Quality Management Districts.* Permits shall be obtained from either the Mojave Air Pollution Management District or the SCAQMD depending on the location of the subject property and equipment. If requested by the Director, uses, activities, or processes that require Air Quality Management District approval to operate shall file a copy of the permit with the Department within 30 days of its approval.
- C. *Diesel Exhaust Emissions Control Measures.* The following emissions control measures shall apply to all discretionary land use projects approved by the County on or after January 15, 2009:
- 1) *On-Road Diesel Vehicles.* On-road diesel vehicles are regulated by the State of California Air Resources Board.
 - 2) *Off-Road Diesel Vehicle/Equipment Operations.* All business establishments and contractors that use off-road diesel vehicle/equipment as part of their normal business operations shall adhere to the following measures during their operations in order to reduce diesel particulate matter emissions from diesel-fueled engines:
 - (A) Off-road vehicles/equipment shall not be left idling on site for periods in excess of five minutes. The idling limit does not apply to:
 - I. Idling when queuing;
 - II. Idling to verify that the vehicle is in safe operating condition;
 - III. Idling for testing, servicing, repairing or diagnostic purposes;
 - IV. Idling necessary to accomplish work for which the vehicle was designed (such as operating a crane);
 - V. Idling required to bring the machine system to operating temperature; and
 - VI. Idling necessary to ensure safe operation of the vehicle.
 - (B) Use reformulated ultra-low-sulfur diesel fuel in equipment and use equipment certified by the U.S. EPA or that pre-dates U.S. EPA regulations.
 - (C) Maintain engines in good working order to reduce emissions.
 - (D) Signs shall be posted requiring vehicle drivers to turn off engines when parked.
 - (E) Any requirements or standards subsequently adopted by the SCAQMD, the Mojave Desert Air Quality Management District or the CARB.
 - (F) Provide temporary traffic control during all phases of construction.
 - (G) On-site electrical power connections shall be provided for electric construction tools to eliminate the need for diesel-powered electric generators, where feasible.
 - (H) Maintain construction equipment engines in good working order to reduce emissions. The developer shall have each contractor certify that all construction equipment is properly serviced and maintained in good operating condition.

- (I) Contractors shall use ultra-low sulfur diesel fuel for stationary construction equipment as required by Air Quality Management District Rules 431.1 and 431.2 to reduce the release of undesirable emissions.
 - (J) Substitute electric and gasoline-powered equipment for diesel-powered equipment, where feasible.
- 3) *Project Design*. Distribution centers, warehouses, truck stops and other facilities with loading docks where diesel trucks may reside overnight or for periods in excess of three hours shall be designed to enable any vehicle using these facilities to utilize on-site electrical connections to power the heating and air conditioning of the cabs of such trucks, and any refrigeration unit(s) of any trailer being pulled by the trucks, instead of operating the diesel engines and diesel refrigeration units of such trucks and trailers for these purposes. This requirement shall also apply to Recreational Vehicle Parks (as defined in § 810.01.200(k) of this title) and other development projects where diesel engines may reasonably be expected to operate on other than an occasional basis.

4.3.4 Impact Thresholds and Significance Criteria

Based upon the criteria derived from Appendix G of the CEQA Guidelines, a project normally would have a significant effect on the environment if it would:

- Conflict with or obstruct implementation of the applicable air quality plan.
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable state or federal ambient air quality standard.
- Expose sensitive receptors to substantial pollutant concentrations.
- Result in nuisance emissions (such as odors) adversely affecting a substantial number of people pursuant to SCAQMD Rule 402.
- Exceed SCAQMD Thresholds.

SCAQMD Thresholds

The significance criteria established by SCAQMD may be relied upon to make the above determinations. According to the SCAQMD, an air quality impact is considered significant if the Project would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The SCAQMD has established thresholds of significance for air quality during construction and operational activities of land use development projects, as shown in **Table 4.3-6: South Coast Air Quality Management District Emissions Thresholds**.

Table 4.3-6: South Coast Air Quality Management District Emissions Thresholds

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

Source: South Coast Air Quality Management District, *SCAQMD Air Quality Significance Thresholds*.

Localized Carbon Monoxide

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

Localized Significance Thresholds

In addition to the CO hotspot analysis, the SCAQMD developed LSTs for emissions of NO₂, CO, PM₁₀, and PM_{2.5} generated at new development sites (off-site mobile source emissions are not included in the LST analysis). LSTs represent the maximum emissions that can be generated at a project without expecting to cause or substantially contribute to an exceedance of the most stringent state or federal ambient air quality standards. LSTs are based on the ambient concentrations of that pollutant within the Project source receptor area (SRA), as demarcated by the SCAQMD, and the distance to the nearest sensitive receptor. LST analysis for construction is applicable to all projects that disturb five acres or less on a single day. The County of San Bernardino is located within SCAQMD SRA 34. **Table 4.3-7: Local Significance Thresholds for Construction/Operations** shows the LSTs for a one-acre, two-acre, and five-acre project in SRA 34. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Because the nearest sensitive receptors are approximately 410 feet (125 meters) to the northeast of the Project site, the thresholds for distances of 125 meters were interpolated and used to analyze the localized impacts of the Project.

Table 4.3-7: Local Significance Thresholds for Construction/Operations

Project Size	Maximum Pounds Per Day ¹			
	NO _x	CO	PM ₁₀	PM _{2.5}
1 Acre	242/242	2,945/2,945	43/11	13/4
2 Acres	292/292	3,640/3,640	52/13	16/4
5 Acres	405/405	5,240/5,240	75/19	22/6

NO_x = Nitrogen Oxides; CO = Carbon Monoxide; PM₁₀ = Particulate Matter 10 microns in diameter or less; PM_{2.5} = Particulate Matter 2.5 microns in diameter or less
 1. Thresholds interpolated based on 125 meters.
 Source: South Coast Air Quality Management District. 2008. *Localized Significance Threshold Methodology*.

LSTs associated with all acreage categories are provided in **Table 4.3-7** for informational purposes. **Table 4.3-7** shows that the LSTs increase as acreages and distances increase. It should be noted that LSTs are screening thresholds and are therefore conservative. The construction LST acreage is determined

based daily acreage disturbed. The operational LST acreage is based on the total area of the Project site. Although the Project site is greater than five acres, the five-acre operational LSTs are conservatively used to evaluate the Project.

Methodology

This air quality impact analysis considers construction and operational impacts associated with the Project. Where criteria air pollutant quantification was required, emissions were modeled using the California Emissions Estimator Model (CalEEMod). CalEEMod is a Statewide land use emissions computer model designed to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. Air quality impacts were assessed according to methodologies recommended by CARB and the SCAQMD. Refer to the Project Air Quality Assessment and Health Risk Assessment (**Appendices C**) for a full discussion of analysis methodology and model outputs/calculations.

Construction equipment, trucks, worker vehicles, and ground-disturbing activities associated with Project construction would generate emissions of criteria air pollutants and precursors. Daily regional construction emissions are estimated by assuming construction occurs at the earliest feasible date (i.e., a conservative estimate of construction activities) and applying off-road, fugitive dust, and on-road emissions factors in CalEEMod.

For the purposes of analyzing construction emissions, the construction activities for the e-commerce, high-cube logistics, and ancillary commercial uses were modeled in separate phases (Phase 1a, Phase 1b, Phase 2, and Commercial). It should be noted that the Concrete pour stage of each construction phase includes structural construction of the project. Construction was modeled generally according to the following timeline³:

- Phase 1a: Commence in 2023 with a 12-month duration.
- Phase 1b: Commence in 2024 with a 12-month duration.
- Phase 2: Commence in 2025 with a 12-month duration.
- Commercial Parcel: Commence in 2026 with an 11-month duration.

Project operations would result in emissions of area sources (consumer products), energy sources (natural gas usage), mobile sources (motor vehicles from Project generated vehicle trips), and off-road equipment. Emissions from these categories are described below.

- **Area Sources.** Area source emissions would be generated due to consumer products, on-site equipment, architectural coating, and landscaping that were previously not present on the site. The default area source VOC emission factor developed for CalEEMod is based on a statewide

³ As the Project development is speculative, a conservative worst-case construction timeline has been modeled for analysis purposes. This involves modeling emissions at the earliest feasible date. Emissions in future years (i.e., due to a later construction start date or operational opening year) would be lower due to phased-in emissions standards, inspection and maintenance requirements, and fleet turnover). Project construction that occurs at a later date than what was modeled impacts would result in lower emissions than those analyzed due to the use of more energy-efficient and cleaner burning construction vehicle fleet mix, pursuant to state regulations that require vehicle fleet operators to phase-in less polluting heavy-duty equipment. As a result, Project-related construction emissions would be lower than the impacts disclosed herein. For emissions modeling purposes, conservatively analyzing the emissions using an earlier construction start date provides for a worst-case analysis and full disclosure of potential air quality impacts, as required by CEQA.

factor and is not applicable to the Project. The entire Project would not use consumer products as specified by CalEEMod user guide. The high-cube logistics/e-commerce centers may have small employee break areas and bathrooms that would use cleaning products, however the majority of the square footage for the Project would be used for warehousing/distribution. Negligible quantities of personal care products, home, lawn, and garden products, disinfectants, sanitizers, polishes, cosmetics, and floor finishes would be used. As the CalEEMod consumer product rates are based on a statewide average, ROG emissions are likely overestimated for the proposed e-commerce and high-cube logistics uses and therefore conservative.

- **Energy Sources.** Energy source emissions would be generated due to electricity and natural gas usage associated with the Project. Primary uses of electricity and natural gas by the Project would be for miscellaneous warehouse equipment, space heating and cooling, water heating, ventilation, lighting, appliances, and electronics.
- **Off-Road Equipment.** Operational off-road emissions would be generated by off-road cargo handling equipment used during high-cube logistics/e-commerce operational activities. For this project it was assumed that the warehouses would including the following off-road equipment per SCAQMD data⁴:
 - Phase 1a: 63 forklifts and 11 yard trucks
 - Phase 1b: 38 forklifts and 7 yard trucks
 - Phase 2: 31 forklifts and 6 yard trucks
- **Transport Refrigeration Units.** Transport Refrigeration Units (TRUs) are refrigeration systems powered by diesel internal combustion engines designed to refrigerate or heat perishable products that are transported in various containers, including semi-trailers and truck vans. TRU emissions were quantified with CARB's OFFROAD database. All trucks associated with the refrigerated building space were assumed to have TRUs for modeling purposes to provide a worst-case scenario.
- **Emergency Backup Generators.** As the Project warehouses are speculative, it is unknown whether emergency backup generators would be used. Backup generators would only be used in the event of a power failure and would not be part of the Project's normal daily operations. Nonetheless, emissions associated with this equipment were included to be conservative. Emissions from an emergency backup generator for each warehouse building were calculated separately from CalEEMod; refer to Appendix A. However, CalEEMod default emissions rates were used. If backup generators are required, the end user would be required to obtain a permit from the SCAQMD prior to installation. Emergency backup generators must meet SCAQMD's Best Available Control Technology (BACT) requirements and comply with SCAQMD Rule 1470 (Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines), which would minimize emissions.
- **Mobile Sources.** Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_x, PM₁₀, and PM_{2.5} are all

⁴ SCAQMD. 2014. *High-Cube Warehouse Truck Trip Study White Paper Summary of Business Survey Results*.

pollutants of regional concern. NO_x and ROG react with sunlight to form O₃, known as photochemical smog. Additionally, wind currents readily transport PM₁₀ and PM_{2.5}. However, CO tends to be a localized pollutant, dispersing rapidly at the source.

Project-generated vehicle emissions are based on the trip generation within the Project Traffic Study (Kimley-Horn and Associates, Inc., January 2022) and incorporated into CalEEMod as recommended by the SCAQMD. Employee commute trip lengths use CalEEMod default lengths for projects in San Bernardino County, delivery van trip lengths are assumed to be 60 miles round trip, truck trip lengths are assumed to be 33.2 miles one way.⁵

Project-generated increases in operational emissions would be predominantly associated with motor vehicle use. The Project generated traffic was obtained from the Project's Traffic Study prepared by Kimley-Horn and Associates, Inc. (January 2022). The Project land use assumptions and trip generation from the Traffic Study that were used in CalEEMod are summarized in **Table 4.3-8: CalEEMod Land Use and Trip Generation**. Project trip generation is based on Institute of Transportation Engineers (ITE) land use categories or specific counts where ITE categories were not available. Truck mix percentages are based on the SCAQMD Truck Trip Generation Study applied to ITE truck percentages and data from other similar facilities. Other operational emissions from area, energy, and stationary sources were quantified in CalEEMod based on land use activity data.

Table 4.3-8: CalEEMod Land Use and Trip Generation

Land Use Type	Building Area Modeled (Thousand Square Feet) ⁷	Modeled Acreage ⁸	Total Daily Trips ⁹	Truck %	Trucks ¹⁰
Phase 1a					
E-Commerce Warehouse with Office ^{1,2}	2,773.050	63.7	13,595	13.4%	1,828
Additional Warehouse for modeling purposes only ³	250.320	5.7			
Refrigerated Warehouse (ITE 157 High-Cube Cold Storage)	125.000	2.9			
Truck Storage and Streets/Utilities ⁴	--	71.6	3,359	84.4%	2,836
Parking Lot	--	60.7	--	--	--
Phase 1a Total	3,148.370	204.6	16,954	27.5%	4,664
Phase 1b					
Unrefrigerated Warehouse (ITE 154 High-Cube Short-Term Storage) ⁵	1,053.530	24.2	10,512	10.4%	1,098
Additional Warehouse for modeling purposes only ³	721.770	16.6			
Refrigerated Warehouse (ITE 157 High-Cube Cold Storage)	125.000	2.8			
Truck Storage and Streets/Utilities ⁴	--	61.7	2,895	84.4%	2,444
Parking Lot	--	36.5	--	--	--
Phase 1b Total	1,900.300	141.8	13,407	26.4%	3,542

⁵ California Air Resources Board. 2007. *Appendix B: Emissions Estimation Methodology for On-Road Diesel-Fueled Heavy-Duty Drayage Trucks at California Ports and Intermodal Rail Yards*. https://ww3.arb.ca.gov/msei/onroad/downloads/drayage_trucks/appbf.pdf.

Land Use Type	Building Area Modeled (Thousand Square Feet) ⁷	Modeled Acreage ⁸	Total Daily Trips ⁹	Truck %	Trucks ¹⁰
Phase 2					
Refrigerated Warehouse (ITE 157 High-Cube Cold Storage)	250.000	5.7	1,060	34.9%	370
Unrefrigerated Warehouse with Office (ITE 154 High-Cube Short-Term Storage) ⁶	1,087.470	25.0	1,429	15.8%	225
Additional Warehouse for modeling purposes only ^{3, 6}	216.370	5.0			
Truck Storage and Streets/Utilities ⁴	--	17.7	833	84.4%	703
Parking Lot	--	33.1	--	--	--
Phase 2 Total	1,553.840	86.5	3,322	39.1%	1,298
Commercial Uses					
General Commercial (ITE 820) and Associated Parking ¹¹	261.300	12.0	9,866	3.7%	361
Commercial Total	261.300	12.0	9,866	3.7%	361
E-Commerce/Warehouse Building Area Total (All Phases)	6,602.510	151.6	26,596	13%	3,521
Truck Storage/Street/Utilities/Parking Lot Total (All Phases)	--	281.3	7,087	84%	5,983
Total (All Phases)	6,863.810	432.9	43,549	22.65%	9,865
<ol style="list-style-type: none"> 1. Trip generation based on trip counts for similar uses; refer to the Traffic Study Analysis. 2. Includes 50 thousand square feet (KSF) of office and 2,723.050 KSF unrefrigerated warehouse. 3. Additional warehouse building area is modeled to be conservative and provide flexibility between phases. The overall building area is conservative and additional building area (refrigerated and non-refrigerated) has also been included in the initial phases. 4. As indicated in the Traffic Study, truck storage trips rates provided by the City of San Bernardino based on data from similar facilities; refer to the Traffic Study. 5. Includes 40 KSF office and 1,735.3 KSF unrefrigerated warehouse. 6. Includes 30 KSF office and 1,273.84 KSF unrefrigerated warehouse. 7. Total square footage includes high cube/e-commerce warehouse and commercial building sizes used in the CalEEMod modeling. 8. The total acreage for the Project site is 432.9 acres. However, for modeling purposes an additional 12 acres was included to conservatively capture the commercial uses. 9. Per the TIA, the Project would generate are 34,489 total daily trips (34,150 net trips). For emissions modeling purposes, this analysis evaluates the daily trip generation based on the maximum building area of 6.6 million square feet to conservatively capture the maximum potential passenger car and truck trips even though this trip scenario may not be feasible due to site constraints. 10. The TIA trip generation includes 8,468 non-passenger car equivalent daily truck trips and 25,681 net passenger car trips for a total of 34,150 net trips. As noted above, a greater number of daily trips was analyzed for emissions modeling purposes. 11. Of the total acreage noted for proposed parking lots, 12 acres are identified with a commercial overlay that could support up to 261,300 sf of commercial uses. Due to the speculative nature of the commercial development and in order to represent a worst-case scenario, the analysis assumes that all 130.3 acres of parking (including the 12 acres with commercial overlay) would be developed in Phases 1a, 1b, and 2 as parking lots. Furthermore, the analysis assumes that the commercial uses would be developed after the parking lots were constructed and would require re-purposing of the parking lots into a commercial use. Therefore, the model includes an additional 12 acres of re-development of the parking lots to support the 261,300 sf of commercial. The total modeled acreage is 432.9 acres plus the additional 12 acres, for a total of 444.9 acres modeled. The total site does not exceed 432.9 acres. 					

The Project site would consist of up to approximately 6.6 million square feet of high-cube logistics and e-commerce uses with 261,360 square feet of ancillary commercial uses, and approximately 98 acres of parking fields/drop lot areas as well as ancillary open space. However, for purposes of trip generation and associated air quality analysis, a conservative approach was used in the trip generation which assumes 2,641,000 million square feet of high-cube logistics and 2,773,050 million square feet of e-commerce uses, for a total of 5,414,050 million sf of combined high-cube logistics and e-commerce uses. This scenario

provides for the maximum number of trips and related air quality impacts that could be associated with the Project. For instance, if the Project were to develop with 6.6 million square feet of high-cube logistics uses only, the number of trips associated with the Project would be less than if the Project were to develop with the assumed 2,641,000 million square feet of high-cube logistics and 2,773,050 million square feet of e-commerce uses due to the higher intensity of trips generated with e-commerce uses. Potential tenants and end users are unknown at this time; therefore, the exact square footage allocation between high-cube logistics and e-commerce uses cannot be determined at the time this EIR was prepared. Therefore, future development of high-cube logistics and e-commerce uses within the Project site would occur in a combination that would not exceed the maximum number of vehicle trips analyzed within this EIR, which represents a conservative, worst-case scenario. For purposes of construction emissions modeling, the maximum potential development of approximately 6.6 million square feet building area was modeled to reflect the maximum square footage of building construction potential.

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

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

According to the SCAQMD LST methodology, LSTs would apply to the operational phase of a project only if it includes area sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., warehouse or transfer facilities). However, the CalEEMod model outputs do not separate on- and off-site emissions for mobile sources. On-site mobile emissions equate to approximately three percent of the project-related new mobile sources. The on-site one-way trip length is conservatively anticipated to be up to one mile, which is approximately three percent of the 33.2-mile truck trip length modeled in CalEEMod.

Emissions reductions from mitigation measures applied in CalEEMod are derived from methodologies compiled in the CAPCOA report *Quantifying GHG Measures*⁶. Each measure was assessed to determine its consistency with CAPCOA criteria for the use of the measure. The following mitigation measure applied in CalEEMod include:

- Transportation Demand Management Measures: TRT-1 (Implement Trip Reduction Program), TRT-7 (Market Commute Trip Reduction Option), and TRT-11 (Employee Vanpool/Shuttle).
- A-1 - Electric Handheld Landscape Equipment.

⁶ California Air Pollution Control Officers Association. 2010. *Quantifying Greenhouse Gas Mitigation Measures*.

- BE-1 – Exceed Title 24. The Project would be required to comply with CALGreen Tier 2, which requires a 30 percent improvement.
- SW-1 – 75 Percent Reduction in Solid Waste Disposal.

Additionally, the following design feature was quantified outside of CalEEMod:

- **Zero Emission Cargo Handling Equipment.** Zero emission/electric cargo handling equipment (see Mitigation Measure (MM) AQ-9, below) emissions from energy consumption were calculated based on 132 forklifts and 24 yard trucks operating for 12 hours per day and the Southern California Edison (SCE) electricity CO₂e emissions factor from CalEEMod. As noted above, the assumptions for the equipment are based on the SCAQMD *High-Cube Warehouse Truck Trip Study White Paper* (2014).

Project Design Features

The Master Developer proposes the following Project Design Features (PDFs) that would be incorporated into the Project design and constructed or implemented as part of the Project. PDFs are specific design and/or operational characteristics proposed by the Master Developer that are incorporated into the Project and part of the Project description and Specific Plan. Because PDFs are incorporated into the Project, they do not constitute mitigation measures. It should be noted that these PDFs facilitate compliance with regulations and latest best practices. Emissions benefits from implementation of PDF AQ-1 through PDF AQ-23 are not directly quantifiable and not quantified; no credit is taken for these measures. Quantifiable reduction measures are incorporated below as mitigation measures, which would be supported by these PDFs.

- PDF AQ-1** If feasible, the Project shall provide electrical hookups to the power grid, rather than use diesel-fueled generators, for the use of electric construction tools, such as saws, drills, and compressors.
- PDF AQ-2** The construction plans and specifications shall prohibit off-road diesel-powered construction equipment from being in the “on” position for more than 10 hours per day during Project construction.
- PDF AQ-3** During Project construction, the Project contractors shall keep all equipment maintenance records and data sheets, including design specifications and emission control tier classifications, on-site or at the contractor’s office and shall furnish documents to the Lead Agency or other regulators, upon request.
- PDF AQ-4** Tenant lease agreements shall include contractual language restricting trucks and support equipment from idling longer than five minutes while on site.
- PDF AQ-5** The Master Developer and/or Site Developer, as applicable, shall provide information on transit and ridesharing programs and services to construction employees.
- PDF AQ-6** The Master Developer and/or Site Developer, as applicable, shall provide meal options on-site or shuttles between the construction site and nearby meal destinations for construction employees.

- PDF AQ-7** The tenant/facility operator shall post both interior and exterior facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, SCAQMD, and the building manager.
- PDF AQ-8** During operations, tenants/facility operators shall ensure that all heavy-duty vehicles (i.e., fleet equipment with a gross vehicle weight rating greater than 14,000 pounds) registered in California entering or operated on the Project site shall be model year 2010 emissions equivalent or later as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Tenants/facility operators shall maintain records on its fleet equipment and ensure that all heavy-duty trucks accessing the Project site use year 2010 or newer engines. The records shall be maintained on-site and be made available for inspection by the County. Encouraging the use of model year 2010 or newer trucks and other efficiency measures could incentivize near zero emission (NZE) or zero emission (ZE) truck visits, which would facilitate compliance with SCAQMD Rule 2305 (Warehouse Indirect Source Rule).
- PDF AQ-9** The tenant/facility operator shall require that all heavy-duty trucks entering or operated on the Project site to be zero-emission beginning in 2030, if such trucks are widely available and economically feasible.
- PDF AQ-10** The tenant/facility operator shall use zero-emission light- and medium-duty trucks as part of business operations if such trucks are widely available and economically feasible.
- PDF AQ-11** Tenants/facility operators shall be required to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- PDF AQ-12** Tenants/facility operators shall provide training in diesel technologies and compliance with CARB regulations to staff in charge of keeping vehicle records, by attending CARB-approved courses. Tenants/facility operators shall maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.
- PDF AQ-13** Tenants/facility operators shall maintain records on fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the warehouses within the Project are in good condition, and in proper tune pursuant to manufacturer's specifications.
- PDF AQ-14** The tenant/facility operator shall ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at CARB-approved courses (such as the free, one-day Course #512).
- PDF AQ-15** Include contractual language in tenant lease agreements that requires the tenant be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation, Periodic Smoke Inspection Program (PSIP), SCAQMD Rule 2305 (Warehouse Indirect Source Rule) and the Statewide Truck and Bus Regulation.

- PDF AQ-16** The Site Developers shall construct electric passenger car charging infrastructure at a minimum of six percent of the total parking spaces. The charging infrastructure shall include conduit for future electric light-duty passenger vehicle (i.e., less than 10,000 pounds) charging stations. Spaces with conduit for future charging stations shall have properly sized and listed raceways/conduits, dedicated branch circuits, service panel or subpanel(s). Both the service panel or subpanel(s) and the raceway termination location shall be visibly marked as “EV CAPABLE.”
- PDF AQ-17** Individual Site Developers shall install conduit for future electric truck charging capabilities at a charging area in a central location within the truck yard.
- PDF AQ-18** The Site Developer shall install all necessary infrastructure (i.e., conduit, reinforced roofs) to allow solar photovoltaic systems on the Project site to be installed on 15 percent of the roof area in the future by the tenant/facility operator.
- PDF AQ-19** Tenants/facility operators shall enroll in the U.S. EPA’s SmartWay program and tenants shall use carriers that are SmartWay carriers.
- PDF AQ-20** The tenant/facility operator shall prepare an information packet that:
- Provides information on incentive programs, such as the Carl Moyer Memorial Air Quality Standards Attainment Program (Moyer Program) and Voucher Incentive Program, and other similar funding opportunities to upgrade their fleets. The Moyer Program On-Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped.
 - Recommends the use of electric or alternatively fueled sweepers with high efficiency particulate air (HEPA) filters;
 - Recommends the use of water-based or low VOC cleaning; and
 - 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.
- PDF AQ-21** Site Developers shall install signs at each exit driveway, providing directional information to the County’s truck route. Text on the sign shall read “To Truck Route” with a directional arrow. Truck routes shall be clearly marked pursuant to the Municipal Code.
- PDF AQ-22** The site shall be designed such that any check-in point for trucks is well inside the facility to ensure that there are no trucks queuing outside the facility. Vehicles can access the building using paved roads and parking lots. Further, the Site Developer/tenant/facility operator shall provide signage to ensure that no trucks are queuing outside the facility.
- PDF AQ-23** Site Developers shall designate eight percent of the total passenger car parking spaces for clean air/electric vehicle/vanpool parking.

4.3.5 Impacts and Mitigation Measures

Impact 4.3-1 *Would the Project conflict with or obstruct implementation of the applicable air quality plan?*

Level of Significance: Significant and Unavoidable

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

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

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

- **Consistency Criterion No. 1:** The Project will not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.
- **Consistency Criterion No. 2:** The Project will not exceed the assumptions in the AQMP, or increments based on the years of the Project build-out phase.

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

The violations to which Consistency Criterion No. 1 refers are CAAQS and NAAQS. As shown in **Table 4.3-9** through **Table 4.3-12**, the Project would exceed construction emission standards despite the implementation of MM AQ-1 and MM AQ-2. Additionally, Project emissions would exceed the operational standard for ROG, NO_x, CO, PM₁₀, and PM_{2.5} despite the implementation of all feasible mitigation, as shown in **Table 4.3-13** through **Table 4.3-17**. MM AQ-3 through MM AQ-10 are included to reduce operation emissions to the greatest amount feasible. However, even with mitigation, operational emissions would remain above the SCAQMD thresholds. Therefore, the Project would potentially contribute to an existing air quality violation. Thus, the Project is not consistent with the first criterion.

Concerning Consistency Criterion No. 2, the AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans.

The Project site is in the County's General Plan Commercial (C) Land Use Category and in the Special Development - Commercial (SD-COM) Zoning Designation. In addition, the site is also located in the City of Fontana's General Industrial (I-G) General Plan Land Use District and in the General Industrial (M-2) Zoning District. The Project entitlements include the SCCIISP, a Tentative Parcel Map (TPM), and Development Agreement. A Revision to an Approved Action would also be required to amend the existing Planned Development (PD) Permit for the Auto Club Speedway (ACS) to remove from its coverage approximately 433 acres of the ACS site that will be governed by the new SCCIISP. This revision has been submitted and will be processed concurrently with this EIR. The SCCIISP would include the development plan identifying the Specific Plan land uses, site access and any pedestrian connections, circulation, drainage, water, sewer, and public facilities and services, as well as development standards and permitted land uses for the planning areas within the SCCIISP.

The Project has been designed in conformance with the goals and policies of the County's General Plan, in providing a commercial/high-cube logistics/e-commerce use on an underutilized property, creating new employment opportunities, and providing regulations through the Specific Plan as an implementation tool that would support the success of an employment area of the County. The Project would approve the Specific Plan for the property to allow for the development of approximately 6.6 million square feet of high-cube logistics/e-commerce uses and approximately 261,360 sf of ancillary commercial uses, as well as ancillary open space to support to the Project development.

The AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project would result in a change from the existing uses on the Project site and would include the additional uses permitted in the SCCIISP not reflected in the AQMP. Therefore, the Project is conservatively assumed to generate emissions not reflected within the current 2016 AQMP regional emissions inventory for the SCAB and is considered to be inconsistent with the AQMP. Thus, the Project is not consistent with the second criterion.

As noted above (and discussed further in Threshold 4.3-2, below), Project implementation would result in air pollutant emissions that exceed SCAQMD's operational emission thresholds. Although mitigation would reduce emissions by the greatest feasible amount, Project emissions levels would remain significant and would contribute to the nonattainment designations in the SCAB. Therefore, the Project would be inconsistent with the AQMP, resulting in a significant and unavoidable impact despite the implementation of mitigation.

In addition, in accordance with SCAQMD Rule 2305 (refer to South Coast Air Quality Management District under **Section 4.3.3: Regulatory Setting**) the Project operator would be required to pay a mitigation fee if the Project does not generate enough WAIRE Points. The Project operator may be required to implement additional emission reduction strategies. Conservatively, this analysis does not take credit for

these potential reductions. Compliance with proposed Rule 2305 would reduce emissions below what is currently analyzed.

Mitigation Measures

See **Mitigation Measures (MM) AQ-1** through **AQ-10** (refer to Impact Threshold 4.3.2, below). No additional feasible mitigation measures are available that can reduce impacts to less than significant.

Impact 4.3-2 *Would the Project, result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?*

Level of Significance: Significant and Unavoidable

Construction Emissions

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

Construction results in the temporary generation of emissions resulting from site grading, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. It should be noted that the Concrete pour stage of each construction phase includes structural construction of the Project. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water.

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

Construction activities associated with the Project would occur in multiple phases. The timing assumed for each phase is described above in Section 4.3.4. Construction-generated emissions associated with the Project were calculated using the CARB-approved CalEEMod computer program, which is designed to model emissions for land use development projects, based on typical construction requirements. See Appendix A: Air Quality Modeling Data of the Air Quality Assessment in **Appendix C** for more information regarding the construction assumptions used in this analysis. It should be noted that separate CalEEMod

runs were conducted to show the mobile source emissions contributions from each vehicle type (i.e., passenger cars, trucks, and vans) separately. The passenger car model outputs include construction emissions and operational area source, energy source, and passenger car emissions. The truck and van model runs include operational mobile source emissions only. Off-road equipment, backup generators, and TRU emissions were quantified outside of CalEEMod and these calculations are also provided in **Appendix C**.

Phase 1a Construction

Predicted maximum daily construction-generated emissions for Phase 1a are summarized in **Table 4.3-9: Phase 1a Construction Emissions**. **Table 4.3-9** shows that unmitigated Phase 1a construction emissions would exceed the SCAQMD threshold for the ozone precursors ROG (VOC), NO_x, CO, and PM₁₀. Most ROG emissions are generated during the architectural coatings phase of construction and the majority of NO_x emissions occur from construction equipment exhaust. Additionally, the majority of PM₁₀ emissions are from fugitive dust. **MM AQ-1** requires fugitive dust control measures and requires various exhaust reduction measures including requiring off-road construction equipment greater than 50 horsepower to meet CARB Tier 4 Final emissions standards. **MMAQ-2** requires the Project to use “Super-Compliant” low VOC paints to reduce ROG emissions. Implementation of **MM AQ-1** and **MM AQ-2** would reduce construction impacts. ROG emissions and PM₁₀ would be reduced to a less than significant level. However, NO_x and CO would remain above the SCAQMD’s thresholds. Impacts would be significant and unavoidable despite the implementation of all feasible mitigation.

Table 4.3-9: Phase 1a Construction Emissions

Construction Year	Emissions (Maximum Pounds Per Day)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated Emissions¹						
Year 2023	372.22	555.14	702.91	2.12	155.16	54.34
SCAQMD Threshold	75	100	550	150	150	55
Exceed SCAQMD Threshold?	Yes	Yes	Yes	No	Yes	No
Mitigated Emissions²						
Year 2023	43.04	465.49	702.91	2.12	94.27	31.30
SCAQMD Threshold	75	100	550	150	150	55
Exceed SCAQMD Threshold?	No	Yes	Yes	No	No	No
ROG = Reactive Organic Gases; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO ₂ = Sulfur Dioxide; PM ₁₀ = Particulate Matter 10 microns in diameter or less; PM _{2.5} = Particulate Matter 2.5 microns in diameter or less						
1. SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; water exposed surfaces three times daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. Refer to Appendix A for Model Data Outputs.						
2. Mitigation includes the incorporation of MM AQ-1 and MM AQ-2. MM AQ-1 requires dust control and exhaust measures including requiring off-road equipment 50 horsepower or greater to meet CARB Tier 4 Final standards. MM AQ-2 requires the use of “Super-Compliant” low VOC paints.						
Source: CalEEMod version 2020.4.0. Refer to Appendix A of the Air Quality Assessment for model outputs.						

Phase 1b Construction

Predicted maximum daily construction-generated emissions for Phase 1b are summarized in **Table 4.3-10: Phase 1b Construction Emissions**.

Table 4.3-10: Phase 1b Construction Emissions

Construction Year	Emissions (Maximum Pounds Per Day)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated Emissions¹						
Year 2024	233.23	444.03	489.04	1.61	120.76	40.82
SCAQMD Threshold	75	100	550	150	150	55
Exceed SCAQMD Threshold?	Yes	Yes	No	No	No	No
Mitigated Emissions²						
Year 2024	30.12	362.88	489.04	1.61	71.39	17.36
SCAQMD Threshold	75	100	550	150	150	55
Exceed SCAQMD Threshold?	No	Yes	No	No	No	No
ROG = Reactive Organic Gases; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO ₂ = Sulfur Dioxide; PM ₁₀ = Particulate Matter 10 microns in diameter or less; PM _{2.5} = Particulate Matter 2.5 microns in diameter or less						
1. SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; water exposed surfaces three times daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. Refer to Appendix A for Model Data Outputs.						
2. Mitigation includes the incorporation of MM AQ-1 and MM AQ-2. MM AQ-1 requires dust control and exhaust measures including requiring off-road construction equipment 50 horsepower or greater to meet CARB Tier 4 Final standards. MM AQ-2 requires the use of "Super-Compliant" low VOC paints.						
Source: CalEEMod version 2020.4.0. Refer to Appendix A of the Air Quality Assessment for model outputs.						

Table 4.3-10 shows that unmitigated Phase 1b construction emissions would exceed the SCAQMD threshold for the ozone precursors ROG (VOC) and NO_x. As noted above, architectural coatings are the primary source of construction ROG emissions and equipment and haul truck exhaust are the primary source of NO_x emissions. **MM AQ-1** requires various exhaust reduction measures including requiring off-road construction equipment greater than 50 horsepower to meet CARB Tier 4 Final emissions standards. **MM AQ-2** requires the Project to use "Super-Compliant" low VOC paints to reduce ROG emissions. Implementation of **MM AQ-1** and **MM AQ-2** would reduce construction impacts. ROG emissions would be reduced to a less than significant level. However, NO_x would remain above the SCAQMD's thresholds. Impacts would be significant and unavoidable despite the implementation of all feasible mitigation.

Phase 2 Construction

Predicted maximum daily construction-generated emissions for Phase 2 are summarized in **Table 4.3-11: Phase 2 Construction Emissions**.

Table 4.3-11: Phase 2 Construction Emissions

Construction Year	Emissions (Maximum Pounds Per Day)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated Emissions¹						
Year 2025	179.77	425.40	383.37	1.66	124.61	40.76
SCAQMD Threshold	75	100	550	150	150	55
Exceed SCAQMD Threshold?	Yes	Yes	No	No	No	No
Mitigated Emissions²						
Year 2025	22.52	354.33	383.37	1.66	74.09	24.98
SCAQMD Threshold	75	100	550	150	150	55
Exceed SCAQMD Threshold?	No	Yes	No	No	No	No
ROG = Reactive Organic Gases; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO ₂ = Sulfur Dioxide; PM ₁₀ = Particulate Matter 10 microns in diameter or less; PM _{2.5} = Particulate Matter 2.5 microns in diameter or less						

Construction Year	Emissions (Maximum Pounds Per Day)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
1. SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; water exposed surfaces three times daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. Refer to Appendix A for Model Data Outputs. 2. Mitigation includes the incorporation of MM AQ-1 and MM AQ-2. MM AQ-1 requires dust control and exhaust measures including requiring off-road equipment 50 horsepower or greater to meet CARB Tier 4 Final standards. MM AQ-2 requires the use of "Super-Compliant" low VOC paints.						
Source: CalEEMod version 2020.4.0. Refer to Appendix A of the Air Quality Assessment for model outputs.						

Table 4.3-11 shows that unmitigated Phase 2 construction emissions would exceed the SCAQMD threshold for the ozone precursors ROG (VOC) and NO_x. As noted above, architectural coatings are the primary source of construction ROG emissions, and equipment and haul truck exhaust are the primary source of NO_x emissions. **MM AQ-1** requires various exhaust reduction measures including requiring off-road construction equipment greater than 50 horsepower to meet CARB Tier 4 Final emissions standards. **MM AQ-2** requires the Project to use "Super-Compliant" low VOC paints to reduce ROG emissions. Implementation of **MM AQ-1** and **MM AQ-2** would reduce construction impacts. ROG emissions would be reduced to a less than significant level. However, NO_x would remain above the SCAQMD's thresholds. Impacts would be significant and unavoidable despite the implementation of all feasible mitigation.

Commercial Construction

Predicted maximum daily construction-generated emissions for the general commercial uses are summarized in **Table 4.3-12: Commercial Construction Emissions**. **Table 4.3-12** shows that unmitigated construction emissions of the General Commercial uses would not exceed SCAQMD thresholds. However, **MM AQ-1** and **MM AQ-2** would still be implemented to minimize cumulative impacts. **MM AQ-1** requires fugitive dust control measures and requires various exhaust reduction measures including requiring off-road construction equipment greater than 50 horsepower to meet CARB Tier 4 Final emissions standards to. **MM AQ-2** requires the Project to use "Super-Compliant" low VOC paints to reduce ROG emissions. Emissions associated with construction of the General Commercial uses would be less than significant.

Table 4.3-12: Commercial Construction Emissions

Construction Year	Emissions (Maximum Pounds Per Day)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated Emissions¹						
Year 2026	64.70	43.96	50.07	0.12	22.05	6.01
<i>SCAQMD Threshold</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
Exceed SCAQMD Threshold?	No	No	No	No	No	No
Mitigated Emissions²						
Year 2026	7.64	12.23	50.07	0.12	8.99	2.32
<i>SCAQMD Threshold</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
Exceed SCAQMD Threshold?	No	No	No	No	No	No
ROG = Reactive Organic Gases; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO ₂ = Sulfur Dioxide; PM ₁₀ = Particulate Matter 10 microns in diameter or less; PM _{2.5} = Particulate Matter 2.5 microns in diameter or less 1. SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; water exposed surfaces three times daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. Refer to Appendix A for Model Data Outputs. 2. Mitigation includes the incorporation of MM AQ-1 and MM AQ-2. MM AQ-1 requires dust control and exhaust measures including requiring off-road equipment 50 horsepower or greater to meet CARB Tier 4 Final standards. MM AQ-2 requires the use of "Super-Compliant" low VOC paints.						
Source: CalEEMod version 2020.4.0. Refer to Appendix A of the Air Quality Assessment for model outputs.						

Operational Emissions

Phase 1a Operations

Project-generated emissions would be primarily associated with motor vehicle use and area sources, such as the use of landscape maintenance equipment and architectural coatings. Long-term operational emissions attributable to the Phase 1a are summarized in **Table 4.3-13: Phase 1a Operational Emissions**. Phase 1a unmitigated emissions would exceed SCAQMD thresholds for ROG, NO_x, CO, PM₁₀, and PM_{2.5}. **Table 4.3-13** shows that the majority of ROG emissions are from area and mobile sources and the majority of NO_x, CO, PM₁₀, and PM_{2.5} emissions are from mobile sources. Mitigation measures are required to reduce emissions to the maximum extent feasible; however, emissions of motor vehicles are controlled by State and Federal standards and the Project has no control over these standards.

Table 4.3-13: Phase 1a Operational Emissions

Source	Maximum Pounds Per Day					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated Operations						
Area Sources	72.84	0.00	0.33	0.00	0.00	0.00
Energy	0.37	3.39	2.85	0.02	0.26	0.26
Mobile – Passenger Cars	23.53	21.13	251.32	3.13	55.16	19.73
Mobile – Trucks	10.36	524.13	247.61	4.13	124.59	38.14
Mobile – Vans	9.56	98.97	32.86	0.40	36.76	11.01
Off-Road – Forklifts ¹	8.7	82.02	107.77	0.15	4.69	4.32
Off-Road – Yard Trucks ¹	1.48	4.78	69.53	0.11	0.20	0.18
Emergency Backup Generator	3.54	39.79	12.20	0.06	0.90	0.90
Transport Refrigeration Units	49.94	41.87	5.68	0.01	1.11	1.03
Total Emissions	180.32	816.08	730.15	8.01	223.67	75.57
<i>SCAQMD Threshold</i>	55	55	550	150	150	55
Threshold Exceeded?	Yes	Yes	Yes	No	Yes	Yes
Mitigated Operations						
Area Sources	72.83	0.00	0.19	0.00	0.00	0.00
Energy	0.31	2.78	2.34	0.02	0.21	0.21
Mobile – Passenger Cars	23.48	20.94	248.92	3.07	54.51	19.49
Mobile – Trucks	10.36	524.13	247.61	4.13	124.59	38.14
Mobile – Vans	9.48	97.85	32.63	0.40	36.33	10.88
Off-Road – Forklifts ¹	0	0	0	0	0	0
Off-Road – Yard Trucks ¹	0	0	0	0	0	0
Emergency Backup Generator	3.54	39.79	12.20	0.06	0.90	0.90
Transport Refrigeration Units	49.94	41.87	5.68	0.01	1.11	1.03
Total Emissions	169.94	727.36	549.57	7.69	217.65	70.65
<i>SCAQMD Threshold</i>	55	55	550	150	150	55
Threshold Exceeded With Mitigation?	Yes	Yes	No	No	Yes	Yes
ROG = Reactive Organic Gases; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO ₂ = Sulfur Dioxide; PM ₁₀ = Particulate Matter 10 microns in diameter or less; PM _{2.5} = Particulate Matter 2.5 microns in diameter or less 1. Unmitigated emissions assume diesel off-road equipment (i.e., forklifts and yard trucks). Source: CalEEMod version 2020.4.0. Refer to Appendix A of the Air Quality Assessment for model outputs.						

The Project includes numerous PDFs that would minimize operational emissions. For example, PDF AQ-8 requires all heavy-duty vehicles entering or operated on the Project site shall be model year 2010 or later. To promote the use of alternative fuels and clean fleets and facilitate future installation of electric vehicle supply equipment, PDF AQ-9 requires that all heavy-duty trucks shall be zero emissions beginning in 2030 if such trucks are widely available and economically feasible and PDF AQ-10 requires the use of zero-emission light- and medium-duty trucks as part of business operations, if such trucks are widely available and economically feasible. PDF AQ-11 requires that managers and employees be trained on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. PDF AQ-12 and PDF AQ-13 requires CARB training for record keeping and ensuring vehicles comply with CARB regulations and are in good condition. PDF AQ-14 requires site enforcement staff to be certified in diesel health effects and technologies by attending CARB training and PDF AQ-15 requires compliance with all current air quality regulations for on-road trucks. PDF AQ-16 and PDF AQ-17 requires electric charging infrastructure and conduit, and PDF AQ-18 requires necessary infrastructure to allow solar photovoltaic systems to be installed in the future. PDF AQ-19 requires enrollment in the U.S. EPA's SmartWay program and PDF AQ-20 provide information on CARB's Carl Moyer Voucher Incentive Program to upgrade fleets. PDF AQ-21 requires signage for truck routes and PDF AQ-22 requires check-in points to be located inside the facility to ensure truck queues do not occur outside of the facility. It should be noted that these PDFs facilitate compliance with regulations and latest best practices and conservatively no credit is taken for these measures.

Additionally, **MM AQ-3** through **MM AQ-10** have been identified to reduce operational emissions. **MM AQ-3** requires the implementation of a Transportation Demand Management (TDM) program to reduce single occupant vehicle trips and encourage transit. **MM AQ-4** requires the buildings to be designed to accommodate electric vehicle (EV) infrastructure, **MM AQ-5** requires tenant installation of conduit at select loading bays for future transportation refrigeration units if required by future tenants who utilize cold storage, and **MM AQ-6** prohibits idling when engines are not in use. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, **MM AQ-7** requires energy efficient vendor trucks, **MM AQ-8** requires EV charging stations and carpool parking, and **MM AQ-9** requires electric outdoor cargo handling equipment (i.e., forklifts and yard trucks). **MM AQ-10** requires compliance with SCAQMD's Warehouse Indirect Source Rule (Rule 2305). It should be noted that as the nature, timing, and extent of the incorporation of ZE and NZE vehicles cannot be determined at this time, no emissions reduction credits from **MM AQ-7** through **MM AQ-10** are applied.

Furthermore, SC AQ-9 through SC AQ-11 would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of electric vehicle supply equipment, and limit idling times. **Table 4.3-13** shows that the implementation of **MM AQ-3** through **MM AQ-10**, Phase 1a operational emissions would be reduced. CO emissions would be reduced to a less than significant level. However, ROG, NO_x, PM₁₀, and PM_{2.5} would remain above the SCAQMD's thresholds. Impacts would remain above the SCAQMD's thresholds; therefore, impacts would be significant and unavoidable.

Phase 1b Operations

Project-generated emissions would be primarily associated with motor vehicle use and area sources, such as the use of landscape maintenance equipment and architectural coatings. Long-term operational emissions attributable to the Phase 1b are summarized in **Table 4.3-14: Phase 1b Operational Emissions**. **Table 4.3-14** shows that Phase 1b unmitigated emissions would exceed SCAQMD thresholds for ROG, NO_x, PM₁₀, and PM_{2.5}. As described above, the Project would comply with various SCs and includes numerous PDFs and MMs that would minimize emissions. SC AQ-9 through SC AQ-11 would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of electric vehicle supply equipment, and limit idling times. PDF AQ-8 through PDF AQ-21 include measures to promote cleaner fleets and operational efficiencies. Additionally, **MM AQ-3** through **MM AQ-10** requires a TDM program, EV infrastructure, electrical hookups, idling reductions, energy efficient vendor trucks, and electric outdoor cargo handling equipment. **Table 4.3-14** shows that the implementation of **MM AQ-3** through **MM AQ-10**, Phase 1b operational emissions would be reduced. PM_{2.5} emissions would be reduced to a less than significant level. However, ROG, NO_x, and PM₁₀ would remain above the SCAQMD's thresholds. Impacts would remain above the SCAQMD's thresholds; therefore, impacts would be significant and unavoidable.

Table 4.3-14: Phase 1b Operational Emissions

Source	Maximum Pounds Per Day					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated Operations						
Area Sources	44.31	0.00	0.20	0.00	0.00	0.00
Energy	0.30	2.71	2.28	0.02	0.21	0.21
Mobile – Passenger Cars	18.03	15.44	188.69	2.42	44.14	15.65
Mobile – Trucks	7.73	373.92	177.25	3.00	93.76	28.63
Mobile – Vans	7.30	72.77	25.10	0.32	29.41	8.77
Off-Road – Forklifts ¹	4.85	45.89	64.72	0.09	2.43	2.23
Off-Road – Yard Trucks ¹	1.49	4.68	69.67	0.11	0.20	0.18
Emergency Backup Generator	3.38	9.42	8.60	0.02	0.50	0.50
Transport Refrigeration Units	28.93	23.85	3.28	0.01	0.55	0.51
Total Emissions	116.32	548.68	539.79	5.99	171.20	56.68
<i>SCAQMD Threshold</i>	55	55	550	150	150	55
Threshold Exceeded?	Yes	Yes	No	No	Yes	Yes
Mitigated Operations						
Area Sources	44.30	0.00	0.12	0.00	0.00	0.00
Energy	0.26	2.34	1.96	0.01	0.18	0.18
Mobile – Passenger Cars	17.96	15.30	186.89	2.39	43.62	15.46
Mobile – Trucks	7.73	373.92	177.25	3.00	93.76	28.63
Mobile – Vans	7.24	71.95	24.94	0.32	29.06	8.66
Off-Road – Forklifts ¹	0	0	0	0	0	0
Off-Road – Yard Trucks ¹	0	0	0	0	0	0
Emergency Backup Generator	3.38	9.42	8.60	0.02	0.50	0.50
Transport Refrigeration Units	28.93	23.85	3.28	0.01	0.55	0.51
Total Emissions	109.80	496.78	403.04	5.75	167.67	53.94
<i>SCAQMD Threshold</i>	55	55	550	150	150	55
Threshold Exceeded With Mitigation?	Yes	Yes	No	No	Yes	No

Source	Maximum Pounds Per Day					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
ROG = Reactive Organic Gases; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO ₂ = Sulfur Dioxide; PM ₁₀ = Particulate Matter 10 microns in diameter or less; PM _{2.5} = Particulate Matter 2.5 microns in diameter or less 1. Unmitigated emissions assume diesel off-road equipment (i.e., forklifts and yard trucks). Source: CalEEMod version 2020.4.0. Refer to Appendix A of the Air Quality Assessment for model outputs.						

Phase 2 Operations

Project-generated emissions would be primarily associated with motor vehicle use and area sources, such as the use of landscape maintenance equipment and architectural coatings. Long-term operational emissions attributable to the Phase 2 are summarized in **Table 4.3-15: Phase 2 Operational Emissions**. **Table 4.3-15** shows that Phase 2 unmitigated emissions would exceed SCAQMD thresholds for ROG and NO_x. As described above, the Project would comply with various SCs and includes numerous PDFs and MMs that would minimize emissions. SC AQ-9 through SC AQ-11 would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of electric vehicle supply equipment, and limit idling times. PDF AQ-8 through PDF AQ-21 include measures to promote cleaner fleets and operational efficiencies. Additionally, **MM AQ-3** through **MM AQ-10** requires a TDM program, EV infrastructure, electrical hookups, idling reductions, energy efficient vendor trucks, and electric outdoor cargo handling equipment. **Table 4.3-15** shows that despite the implementation of **MM AQ-3** through **MM AQ-10**, Phase 2 operational emissions would remain above the SCAQMD's thresholds, therefore impacts would be significant and unavoidable.

Table 4.3-15: Phase 2 Operational Emissions

Source	Maximum Pounds Per Day					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated Operations						
Area Sources	35.68	0.00	0.16	0.00	0.00	0.00
Energy	0.46	4.19	3.52	0.03	0.32	0.32
Mobile – Passenger Cars	5.65	4.64	58.37	0.77	14.41	5.06
Mobile – Trucks	2.67	129.70	61.98	1.08	34.28	10.43
Off-Road – Forklifts ¹	3.61	34.36	52.51	0.07	1.64	1.51
Off-Road – Yard Trucks ¹	1.49	4.65	69.83	0.11	0.20	0.18
Emergency Backup Generators	1.85	35.08	7.90	0.06	0.65	0.65
Transport Refrigeration Units	37.91	31.81	4.34	0.00	0.60	0.56
Total Emissions	89.32	244.43	258.61	2.12	52.10	18.71
<i>SCAQMD Threshold</i>	<i>55</i>	<i>55</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
Threshold Exceeded?	Yes	Yes	No	No	No	No
Mitigated Operations						
Area Sources	35.67	0.00	0.09	0.00	0.00	0.00
Energy	0.43	3.87	3.25	0.02	0.29	0.29
Mobile – Passenger Cars	5.64	4.60	57.82	0.76	14.24	5.00
Mobile – Trucks	2.67	129.70	61.98	1.08	34.28	10.43
Off-Road – Forklifts ¹	0	0	0	0	0	0
Off-Road – Yard Trucks ¹	0	0	0	0	0	0
Emergency Backup Generators	1.85	35.08	7.90	0.06	0.65	0.65
Transport Refrigeration Units	37.91	31.81	4.34	0	0.60	0.56
Total Emissions	84.17	205.06	135.38	1.92	50.06	16.93

Source	Maximum Pounds Per Day					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
<i>SCAQMD Threshold</i>	55	55	550	150	150	55
Threshold Exceeded With Mitigation?	Yes	Yes	No	No	No	No
ROG = Reactive Organic Gases; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO ₂ = Sulfur Dioxide; PM ₁₀ = Particulate Matter 10 microns in diameter or less; PM _{2.5} = Particulate Matter 2.5 microns in diameter or less 1. Unmitigated emissions assume diesel off-road equipment (i.e., forklifts and yard trucks). Source: CalEEMod version 2020.4.0. Refer to Appendix A of the Air Quality Assessment for model outputs.						

Commercial Operations

Project-generated emissions would be primarily associated with motor vehicle use and area sources, such as the use of landscape maintenance equipment and architectural coatings. Long-term operational emissions attributable to the Project are summarized in **Table 4.3-16: Commercial Unmitigated Operational Emissions**. **Table 4.3-16** shows that the operational emissions from the General Commercial uses would not exceed SCAQMD thresholds.

Table 4.3-16: Commercial Unmitigated Operational Emissions

Source	Maximum Pounds Per Day					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated Operations						
Area Sources	5.95	0.00	0.03	0.00	0.00	0.00
Energy	0.02	0.15	0.13	0.00	0.01	0.01
Mobile	27.90	20.98	158.55	1.82	34.57	12.15
Total Emissions	33.87	21.13	158.71	1.82	34.58	12.16
<i>SCAQMD Threshold</i>	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No
ROG = Reactive Organic Gases; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO ₂ = Sulfur Dioxide; PM ₁₀ = Particulate Matter 10 microns in diameter or less; PM _{2.5} = Particulate Matter 2.5 microns in diameter or less Source: CalEEMod version 2020.4.0. Refer to Appendix A of the Air Quality Assessment for model outputs.						

Project Buildout Operational Emissions

To calculate emissions for Project buildout, operational emissions from each phase of the Project (refer to **Table 4.3-13**, **Table 4.3-14**, **Table 4.3-15**, and **Table 4.3-16**) were combined with the maximum daily construction emissions and summarized in **Table 4.3-17: Project Buildout Emissions**. **Table 4.3-17** shows that total operational emissions (Project buildout) and maximum construction would exceed SCAQMD thresholds for ROG, NO_x, CO, PM₁₀, and PM_{2.5}. As described above, the Project would comply with various SCs and includes numerous PDFs and MMs that would minimize emissions. Standard Condition (SC) AQ-9 through SC AQ-11 would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of electric vehicle supply equipment, and limit idling times. PDF AQ-8 through PDF AQ-21 include measures to promote cleaner fleets and operational efficiencies. Additionally, **MM AQ-3** through **MM AQ-10** requires a TDM program, EV infrastructure, electrical hookups, idling reductions, energy efficient vendor trucks, and electric outdoor cargo handling equipment. **Table 4.3-17** shows that despite the implementation of **MM AQ-3** through **MM AQ-10**, Project buildout operational emissions would remain above the SCAQMD's thresholds, therefore impacts would be significant and unavoidable.

Table 4.3-17: Project Buildout Emissions

Source	Maximum Pounds Per Day					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated Emissions¹						
Maximum Construction ²	372.22	555.14	702.91	2.12	155.16	54.34
Operations						
• Phase 1a ³	180.32	816.08	730.15	8.01	223.67	75.57
• Phase 1b ⁴	116.32	548.68	539.79	5.99	171.20	56.68
• Phase 2 ⁵	89.32	244.43	258.61	2.12	52.10	18.71
• Commercial ⁶	33.87	21.13	158.71	1.82	34.58	12.16
<i>Total Unmitigated Operations</i>	<i>419.83</i>	<i>1,630.32</i>	<i>1,687.26</i>	<i>17.94</i>	<i>481.55</i>	<i>163.12</i>
Total Overlapping Construction and Operations (Unmitigated)	792.05	2,185.46	2,390.17	20.06	636.71	217.46
<i>SCAQMD Threshold</i>	<i>55</i>	<i>55</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
Threshold Exceeded?	Yes	Yes	Yes	No	Yes	Yes
Mitigated Emissions						
Maximum Construction	43.04	465.49	702.91	2.12	94.27	31.30
Operations						
• Phase 1a ³	169.94	727.36	549.57	7.69	217.65	70.65
• Phase 1b ⁴	109.80	496.78	403.04	5.75	167.67	53.94
• Phase 2 ⁵	84.17	205.06	135.38	1.92	50.06	16.93
• Commercial ⁶	33.87	21.13	158.71	1.82	34.58	12.16
<i>Total Mitigated Operations</i>	<i>397.78</i>	<i>1,450.33</i>	<i>1,246.70</i>	<i>17.18</i>	<i>469.96</i>	<i>153.68</i>
Total Overlapping Construction and Operations (Mitigated)	440.82	1,915.82	1,949.61	19.30	564.23	184.98
<i>SCAQMD Threshold</i>	<i>55</i>	<i>55</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
Threshold Exceeded With Mitigation?	Yes	Yes	Yes	No	Yes	Yes
ROG = Reactive Organic Gases; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO ₂ = Sulfur Dioxide; PM ₁₀ = Particulate Matter 10 microns in diameter or less; PM _{2.5} = Particulate Matter 2.5 microns in diameter or less 1. Unmitigated emissions assume diesel off-road equipment (i.e., forklifts and yard trucks). 2. Phase 1a construction is used as the overall maximum construction emissions 3. See Table 4.3-13 for detailed Phase 1a operational emissions. 4. See Table 4.3-14 for detailed Phase 1b operational emissions. 5. See Table 4.3-15 for detailed Phase 2 operational emissions. 6. See Table 4.3-16 for detailed Commercial Phase operational emissions. Source: CalEEMod version 2020.4.0. Refer to Appendix A of the Air Quality Assessment for model outputs.						

The majority of ROG emissions are from area and mobile sources and the majority of NO_x, CO, PM₁₀, and PM_{2.5} emissions are from mobile sources. Mitigation measures are required to reduce emissions to the maximum extent feasible; however, emissions of motor vehicles are controlled by State and Federal standards and the Project has no control over these standards. CARB is addressing emissions from heavy duty vehicles through various regulatory programs including lower emission standards, restrictions on idling, the use of post-combustion filter and catalyst equipment, and retrofits for diesel truck fleets. These programs are expected to result in significant reductions in ROG, NO_x, PM₁₀, PM_{2.5}, and CO emissions as they are fully implemented by 2023. Federal and State agencies regulate and enforce vehicle emission standards.

It is not feasible for the County of San Bernardino to effectively enforce a prohibition on trucks from entering the property that are otherwise permitted to operate in California and access other properties

in the County, region, and State. Even if the County were to apply such a restriction, it would cause warehouse operators using older truck fleets to travel to other facilities in the SCAB where the restriction does not apply, thereby resulting in no improvement to regional air quality. Based on data from CARB, most heavy-duty trucks entering the Project site will meet or exceed 2010 model year emission standards when the Project becomes fully operational in 2024, as all trucks are required meet or exceed such standards by 2023. Specifically, according to CARB EMFAC inventories, approximately 50 percent of all in-state heavy-duty trucks met the 2010 engine standard in 2019, 59 percent in 2020, and 62 percent in 2021. Additionally, 65 percent and 90 percent of trucks are projected to meet the 2010 engine standard in 2022 and 2023 respectively.⁷

In addition, **MM AQ-10** requires compliance with SCAQMD Rule 2305. Rule 2305 requires the Project operator to directly reduce NO_x and particulate matter emissions or to otherwise facilitate emission and exposure reductions of these pollutants in nearby communities. Alternatively, warehouse operators can choose to pay a mitigation fee. Funds from the mitigation fee will be used to incentivize the purchase of cleaner trucks and charging/fueling infrastructure in communities nearby.

Warehouse owners and operators are required to earn WAIRE Points each year. WAIRE points are a menu-based system earned by emission reduction measures. Warehouse operators are required to submit an annual WAIRE Report which includes truck trip data and emission reduction measures. WAIRE points can be earned by completing actions from a menu that can include acquiring and using natural gas, Near-Zero Emissions and/or Zero-Emissions on-road trucks, zero-emission cargo handling equipment, solar panels or zero-emission charging and fueling infrastructure, or other options.

A preliminary WAIRE calculation has been conducted for the proposed Project. The Project would include rooftop solar (refer to **MM GHG-2** in the Project's Greenhouse Gas Emissions Analysis); two zero emission yard trucks that would operate for approximately eight hours per day, 365 days per year (**MM AQ-9**); and potentially include 14 electric Vehicle Supply Equipment (EVSE) chargers (19.2-50 kW) (approximately two per building as necessary, to meet the County's Greenhouse Gas Screening Table Checklist requirements). Based on the SCAQMD WAIRE User Calculator the Project would have a Warehouse Points Compliance Obligation (WPCO) of 13,510 and would earn 41,999 points. As a result, the Project more than fulfills its WPCO and would bank 28,489 points.⁸

Furthermore, SC AQ-9 through SC AQ-11 would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of electric vehicle supply equipment, and limit idling times.

Standard Conditions and Requirements:

Standard Conditions are existing requirements and standard conditions that are based on local, state, or federal regulations or laws that are frequently required independently of CEQA review. Typical standard

⁷ California Air Resources Board, *EMFAC2017, An Update to California On-Road Mobile Source Emissions Inventory*, November 9, 2017. Available at: https://ww3.arb.ca.gov/msei/downloads/emfac2017_workshop_11_09_2017_final.pdf, accessed April 29, 2021.

⁸ Note that this calculation is preliminary and provided for informational purposes. The WAIRE Points Compliance Obligation is determined by the actual number of truck trips to the facility based on logs of truck trips submitted on January 1 after the first year of operation. The trip rates that SCAQMD uses in the WAIRE User Calculator would be slightly different than what is used in the Project's Traffic Study.

conditions and requirements include compliance with the provisions of the Building Code, SCAQMD Rules, etc. The City may impose additional conditions during the approval process, as appropriate. Because Standard Conditions are neither Project specific nor a result of development of the Project, they are not considered to be either PDFs or Mitigation Measures.

- SCAQ-1** Prior to the issuance of grading permits, the County Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with South Coast Air Quality Management District's (SCAQMD's) Rules 402 and 403 to minimize construction emissions of dust and particulates. The measures include, but are not limited to, the following:
- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
 - All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
 - All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
 - The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
 - Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.
- SCAQ-2** Pursuant to SCAQMD Rule 1113, the Site Developer/tenant shall require by contract specifications that the interior and exterior architectural coatings (paint and primer including parking lot paint) products used would have a volatile organic compound rating of 50 grams per liter or less.
- SCAQ-3** Require construction equipment to turn off when not in use per Title 13 of the California Code of Regulations, Section 2449.
- SCAQ-4** In accordance with California Title 24 Standards, buildings will be designed to have 15 percent of the roof area "solar ready" that will structurally accommodate later installation of rooftop solar panels.
- SCAQ-5** Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and sensors for landscaping according to the County's Water Efficient Landscape Requirements (Chapter 22, Section 63.2201 of the County's Code).
- SCAQ-6** Design buildings to be water-efficient. Install water-efficient fixtures in accordance with Section 5.303 of the California Green Building Standards Code Part 11.
- SCAQ-7** Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1 of the California Green Building Standards Code Part 11.

- SCAQ-8** Provide storage areas for recyclables and green waste and adequate recycling containers located in readily accessible areas in accordance with Section 5.410.1 of the California Green Building Standards Code Part 11.
- SCAQ-9** Provide designated parking for any combination of low-emitting, fuel efficient and carpool/van pool vehicles. At least eight percent of the total parking spaces are required to be designated in accordance with Section 5.106.5.2, Designated Parking for Clean Air Vehicles, of the California Green Building Standards Code Part 11.
- SCAQ-10** Provide at least six percent of the total parking spaces to facilitate future installation of electric vehicle supply equipment in accordance with Section 5.106.5.3.2, Multiple Charging Space Requirements, of the California Green Building Standards Code Part 11.
- SCAQ-11** Limit idling time for commercial vehicles to no more than five minutes per Title 13 of the California Code of Regulations, Section 2485.

Mitigation Measures

- MM AQ-1** Prior to the issuance of grading permits, the County Engineer shall confirm that the Grading Plan and Specifications require all construction contractors to incorporate the following measures to minimize construction emissions. These features shall be included in applicable bid documents and included on the grading plans.
- All off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards or incorporate CARB Level 3 Verified Diesel Emission Control Strategy (VDECS). Requirements for Tier 4 Final equipment and the option for Level 3 VDECS shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be provided to the County at the time of mobilization of each applicable unit of equipment. This equipment shall be used when commercial models that meet the construction needs of the proposed Project are commercially available from local suppliers/vendors. The determination of commercial availability of such equipment shall be made by the County, based on applicant-provided evidence from expert sources, such as construction contractors in the region.
 - Construction equipment shall be properly maintained according to manufacturer specifications.
 - All diesel-powered construction equipment, delivery vehicles, and delivery trucks shall be turned off when not in use. On-site idling shall be limited to three minutes in any one hour.
 - Construction on-road haul trucks shall be model year 2010 or newer if diesel-fueled.

- Information on ridesharing programs shall be made available to construction employees.
- During construction, lunch options shall be provided on-site.
- A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints per SCAQMD Standards.
- All construction contractors shall be provided information on the South Coast Air Quality Management District Surplus Off-road Opt-In “SOON” funds which provides funds to accelerate cleanup of off-road diesel vehicles.
- The Project shall demonstrate compliance with SCAQMD Rule 403 concerning fugitive dust and provide appropriate documentation to the County of San Bernardino.
- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet-power vacuum street sweepers at least once per day. The use of dry-power sweeping shall be prohibited.
- All vehicle speeds on unpaved roads, driveways, or driving surfaces shall be limited to 15 miles per hour.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Building pads shall be laid as soon as possible after grading, unless seeding or soil binders are used.
- A publicly visible sign shall be posted with the telephone number and the name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the SCAQMD shall also be visible to ensure compliance.

MM AQ-2

The Project shall utilize “Super-Compliant” low VOC paints which have been reformulated to exceed the regulatory VOC limits (i.e., have a lower VOC content than what is required) put forth by SCAQMD’s Rule 1113 for all architectural coatings. Super-Compliant low VOC paints shall be no more than 10g/L of VOC. Prior to issuance of a building permit, the San Bernardino County Building and Safety Department shall confirm that plans include the following specifications:

- All architectural coatings will be super-compliant low VOC paints.
- Recycle leftover paint. Take any leftover paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.
- Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.

- For water-based paints, clean up with water only. Whenever possible, do not rinse the cleanup water down the drain or pour it directly into the ground or the storm drain. Set aside the can of cleanup water and take it to the hazardous waste center (www.cleanup.org).
- Use compliant low-VOC cleaning solvents to clean paint application equipment.
- Keep all paint- and solvent-laden rags in sealed containers to prevent VOC emissions.
- Contractors shall construct/build with materials that do not require painting and use pre-painted construction materials to the extent practicable.
- Use high-pressure/low-volume paint applicators with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency.

MM AQ-3

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

- Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options.
- Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the Project site.
- Each building shall provide secure bicycle storage space equivalent to two percent of the automobile parking spaces provided.
- Each building shall provide a minimum of two shower and changing facilities as part of the tenant improvements.
- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service.
- Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users.
- Provide meal options on-site or shuttles between the facility and nearby meal destinations.
- Each building shall provide preferred parking for electric, low-emitting, and fuel-efficient vehicles equivalent to at least eight percent of the required number of parking spaces.

This mitigation measure applies only to tenant occupancy and not the building shell approvals.

- MM AQ-4** Prior to the issuance of a building permit for tenant improvements, the Planning Department shall confirm that the Project is designed to include the following:
- Prior to issuance of a Building Permit for the Shell Design, the buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed to supply power for the future installation of electric vehicle (EV) truck charging stations on the site. Conduit should be installed from the electrical room to tractor trailer parking spaces in a logical location(s) on the site determined by the Site Developer during construction document plan check, for the purpose of accommodating the future installation of EV truck charging stations at a central location within the truck court at such time this technology becomes commercially available, and the buildings are being served by trucks with electric-powered engines.
 - The buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods, if required by future tenants who utilize cold storage. Conduit should be installed from the electrical room to the loading docks in a location determined by the tenant as the logical location(s) to receive trailers with TRUs.

This mitigation measure applies only to tenant improvements and not the building shell approvals.

- MM AQ-5** Prior to the issuance of tenant occupancy permits, the Planning Department shall confirm that tenant lease agreements include contractual language that requires all Transport Refrigeration Units (TRUs) entering the Project site be plug-in capable. Conduit for electrical hookups shall be provided as part of the tenant improvements for any tenant that requires cold storage. The conduit for electrical hookups shall be provided at select loading bays for future transportation refrigeration units if required by future tenants who utilize cold storage. Electrical hookups allow for truckers to plug in any onboard auxiliary equipment and power refrigeration units while their truck is stopped. This mitigation measure applies only to tenant improvements and not the building shell approvals.

- MM AQ-6** Prior to the issuance of a tenant occupancy permit, the Planning Department shall confirm that all truck access gates and loading docks within the Project site have a sign posted that states:
- Truck drivers shall turn off engines when not in use.
 - Truck drivers shall shut down the engine after five minutes of continuous idling operation (pursuant to Title 13 of the California Code of Regulations, Section 2485). Once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged.
 - Telephone numbers of the building facilities manager and CARB to report violations.

- Signs shall also inform truck drivers about the health effects of diesel particulates, the California Air Resources Board diesel idling regulations, and the importance of being a good neighbor by not parking in residential areas.

This mitigation measure applies only to tenant improvements and not the building shell approvals.

MM AQ-7 Prior to the issuance of a tenant occupancy permit, the Planning Department shall confirm that the Project plans and specifications shall include requirements (by contract specifications) that vendor trucks for the industrial buildings include energy efficiency improvement features through the Carl Moyer Program—including truck modernization, retrofits, and/or aerodynamic kits and low rolling resistance tires—to reduce fuel consumption. This mitigation measure applies only to tenant improvements and not the building shell approvals.

MM AQ-8 Prior to the issuance of a tenant occupancy permit, the Planning Department shall confirm that the Project plans and specifications for the industrial buildings shall include electric vehicle (passenger car) charging stations and a minimum of 12 percent carpool parking spaces at each building for employees and the public to use. This mitigation measure applies only to tenant improvements and not the building shell approvals.

MM AQ-9 Each building shall include the necessary charging stations for cargo handling equipment. Prior to the issuance of a tenant occupancy permit, the Planning Department shall confirm that the Project plans and specifications show that all outdoor cargo handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, and forklifts) are zero emission/powered by electricity. Note that SCAQMD Rule 2305 (Warehouse Indirect Source Rule) Warehouse Actions and Investments to Reduce Emissions (WAIRE) points may be earned for electric/zero emission yard truck/hostler usage. This mitigation measure applies only to tenant improvements and not the building shell approvals.

MM AQ-10 Project tenants shall comply with the SCAQMD Indirect Source Rule (Rule 2305). This rule is expected to reduce NO_x and particulate matter emissions during operations. Emission reductions resulting from this rule were not included in the Project analysis. Compliance with Rule 2305 is enforced by the SCAQMD through their reporting process and is required for all warehouse projects greater than 100,000 square feet.

No additional feasible mitigation measures are available that can reduce mobile emission impacts to less than significant.

Impact 4.3-3 *Would the Project, expose sensitive receptors to substantial pollutant concentrations?*

Level of Significance: Less than Significant with Mitigation Incorporated

Localized Construction Significance Analysis

The nearest sensitive receptor is a residential unit located approximately 410 feet to the northeast of the Project site. To identify impacts to sensitive receptors, the SCAQMD recommends addressing LSTs for construction. LSTs were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the Final Localized Significance Threshold Methodology (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with Project-specific emissions.

Since CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment, **Table 4.3-18: Equipment-Specific Grading Rates** is used to determine the maximum daily disturbed acreage for comparison to LSTs. The appropriate SRA for the localized significance thresholds is Central San Bernardino Valley (SRA 34) since this area includes the Project. LSTs apply to NO₂, CO, PM₁₀, and PM_{2.5}. The SCAQMD produced look-up tables for projects that disturb areas less than or equal to five acres in size. CalEEMod construction modeling for Phase 1a, Phase 1b, and Phase 2 anticipates that similar equipment would be used for each phase. Project construction is anticipated to disturb a maximum of 17 acres in a single day. As the LST guidance provides thresholds for projects disturbing 1, 2, and 5 acres in size and the thresholds increase with size of the site, the LSTs for a 5.0-acre threshold were conservatively utilized for this analysis.

Table 4.3-18: Equipment-Specific Grading Rates

Construction Phase	Equipment Type	Equipment Quantity	Acres Graded per 8-Hour Day	Operating Hours per Day	Acres Graded per Day
Grading	Tractors	0	0.5	8	0
	Graders	2	0.5	8	1
	Dozers	0	0.5	8	0
	Scrapers	16	1	8	16
Total Acres Graded per Day					17
Source: CalEEMod version 2016.3.2. Refer to Appendix A of the Air Quality Assessment for model outputs.					

The SCAQMD's methodology states that "off-site mobile emissions from the Project should not be included in the emissions compared to LSTs." Therefore, only emissions included in the CalEEMod "on-site" emissions outputs were considered. The nearest sensitive receptor is a residential unit located approximately 410 feet (125 meters) to the northeast of the Project site. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, LSTs at 125 meters were interpolated for use in this analysis. **Table 4.3-19: Localized Significance of Construction Emissions** presents the results of localized emissions during each construction phase. In addition, demolition, road construction/utilities, and excavation/mass grading emissions were also combined since these phases of construction are anticipated to overlap. **Table 4.3-19** shows that emissions of these pollutants on the peak day of construction would not result in significant concentrations of pollutants at nearby sensitive receptors. Significant impacts would not occur concerning LSTs during construction.

Table 4.3-19: Localized Significance of Construction Emissions

Construction Activity	Emissions (Maximum Pounds Per Day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Phase 1a				
Demolition	4.32	23.08	15.46	2.49
Road Construction/Utilities	3.28	36.76	7.38	3.84
Excavation/Mass Grading	136.60	135.29	14.82	6.93
Concrete Pour/Building Construction	49.70	527.16	1.64	1.61
Paving/Landscaping/Site Finishes	13.84	73.72	0.50	0.47
Architectural Coating	3.91	5.43	0.21	0.21
Combined Demolition, Road Construction/ Utilities, and Excavation/Mass Grading	144.20	189.96	37.66	13.26
<i>SCAQMD Localized Screening Threshold (5 acres at 125 meters)</i>	405	5,240	75	22
Exceed SCAQMD Threshold?	No	No	No	No
Phase 1b				
Demolition	4.15	23.07	9.28	1.54
Road Construction/Utilities	3.63	33.30	7.39	3.85
Excavation/Mass Grading	127.19	132.57	14.38	6.61
Concrete Pour/Building Construction	34.30	319.91	1.13	1.11
Paving/Landscaping/Site Finishes	13.70	61.19	0.49	0.49
Architectural Coating	3.66	5.43	0.18	0.18
Combined Demolition, Road Construction/ Utilities, and Excavation/Mass Grading	134.97	188.94	31.05	12.00
<i>SCAQMD Localized Screening Threshold (5 acres at 125 meters)</i>	405	5,240	75	22
Exceed SCAQMD Threshold?	No	No	No	No
Phase 2				
Demolition	4.00	19.42	10.16	1.66
Road Construction/Utilities	3.28	31.16	7.38	3.84
Excavation/Mass Grading	106.00	109.15	13.54	5.83
Concrete Pour/Building Construction	32.91	318.69	1.08	1.08
Paving/Landscaping/Site Finishes	12.37	60.10	0.44	0.42
Architectural Coating	3.44	5.43	0.15	0.15
Combined Demolition, Road Construction/ Utilities, and Excavation/Mass Grading	113.28	159.73	31.08	11.33
<i>SCAQMD Localized Screening Threshold (5 acres at 125 meters)</i>	405	5,240	75	22
Exceed SCAQMD Threshold?	No	No	No	No
Commercial Phase				
Demolition	2.00	19.42	7.23	1.15
Grading	3.30	26.33	3.51	1.46
Building Construction	2.57	16.08	0.08	0.08
Paving	1.22	14.58	0.04	0.04
Architectural Coating	1.15	1.81	0.05	0.05
Combined Building Construction, Paving, and Architectural Coatings	4.94	32.47	0.17	0.17
<i>SCAQMD Localized Screening Threshold (5 acres at 125 meters)</i>	405	5,240	75	22

Construction Activity	Emissions (Maximum Pounds Per Day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Exceed SCAQMD Threshold?	No	No	No	No
NO _x = Nitrogen Oxides; CO = Carbon Monoxide; PM ₁₀ = Particulate Matter 10 microns in diameter or less; PM _{2.5} = Particulate Matter 2.5 microns in diameter or less Source: CalEEMod version 2020.4.0. Refer to Appendix A of the Air Quality Assessment for model outputs.				

Localized Operational Significance Analysis

According to the SCAQMD LST methodology, LSTs would apply to the operational phase of a project only if it includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., warehouse or transfer facilities). Since the Project includes warehouses, the operational phase LST protocol is conservatively applied to both the area source and a portion of the mobile source emissions. LSTs thresholds for receptors located at 125 meters in SRA 34 were utilized in this analysis because the closest receptors are approximately 410 feet (125 meters) to the northeast. Although the Project site is approximately 433 acres, the five-acre LST threshold was also conservatively used for the Project, as the LSTs increase with the size of the site.

The LST analysis only includes on-site sources. However, the CalEEMod model outputs do not separate on- and off-site emissions for mobile sources. On-site mobile emissions equate to approximately three percent of the project-related new mobile sources. The on-site one-way trip length is conservatively anticipated to be up to one mile, which is approximately three percent of the 33.2-mile truck trip length modeled in CalEEMod. For a worst-case scenario assessment, the emissions shown in **Table 4.3-20: Localized Significance of Operational Emissions** conservatively include all on-site Project-related stationary sources, on-site off-road equipment (forklifts and yard trucks) and three percent of the Project-related mobile sources, since a portion of mobile sources could include trucks idling on-site. **Table 4.3-20** shows that the maximum daily emissions of these pollutants during operations would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, significant impacts would not occur concerning LSTs during operational activities.

Table 4.3-20: Localized Significance of Operational Emissions

Source	Emissions (Maximum Pounds Per Day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Phase 1a				
Area Sources	0.00	0.33	0.00	0.00
Energy Sources	3.39	2.85	0.26	0.26
On-Site Mobile Sources ¹	19.29	15.87	6.46	2.06
Off-Road ²	0.00	0.00	0.00	0.00
On-Site Transport Refrigeration Units	5.23	0.71	0.14	0.13
Phase 1b				
Area Sources	0.00	0.20	0.00	0.00
Energy Sources	2.71	2.28	0.21	0.21
On-Site Mobile Source ¹	13.84	11.67	4.99	1.58
Off-Road ²	0.00	0.00	0.00	0.00
On-Site Transport Refrigeration Units	2.98	0.41	0.07	0.06
Phase 2				
Area Sources	0.00	0.09	0.00	0.00
Energy Sources	3.87	3.25	0.29	0.29

Source	Emissions (Maximum Pounds Per Day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
On-Site Mobile Source ¹	4.03	3.59	1.46	0.46
Off-Road ²	0.00	0.00	0.00	0.00
On-Site Transport Refrigeration Units	3.97	0.54	0.08	0.07
Commercial Phase				
Area Sources	0.00	0.09	0.00	0.00
Energy Sources	0.15	0.13	0.01	0.01
Project Buildout				
Area Sources	0.00	0.71	0.00	0.00
Energy Sources	10.12	8.51	0.77	0.77
On-Site Mobile Sources ¹	37.15	31.14	12.91	4.40
Off-Road ²	0.00	0.00	0.00	0.00
On-Site Transport Refrigeration Units	12.18	1.66	0.29	0.26
Total	59.45	42.02	13.97	5.13
<i>SCAQMD Localized Screening Threshold (5 acres at 125 meters)</i>	405	5,240	19	6
SCAQMD Threshold Exceeded?	No	No	No	No
NO _x = Nitrogen Oxides; CO = Carbon Monoxide; PM ₁₀ = Particulate Matter 10 microns in diameter or less; PM _{2.5} = Particulate Matter 2.5 microns in diameter or less 1. Assumes three percent of total mobile source emissions would occur on-site. 2. Off-road emissions would be zero-emission per MM AQ-9. Source: CalEEMod version 2020.4.0. Refer to Appendix A of the Air Quality Assessment for model outputs.				

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

Criteria Pollutant Health Impacts

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project's air emissions to health impacts or explain why such information could not be ascertained (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502). The SCAQMD has set its CEQA significance thresholds based on the FCAA, which defines a major stationary source (in extreme ozone (O₃) nonattainment areas such as the SCAB) as emitting 10 tons per year. The thresholds correlate with the trigger levels for the federal New Source Review (NSR) Program and SCAQMD Rule 1303 for new or modified sources. The NSR Program⁹ was created by the FCAA to ensure that stationary sources of air pollution are constructed or modified in a manner that is consistent with attainment of health-based FAAQS. The FAAQS establish the levels of air quality necessary, with an adequate margin of safety, to protect the public health. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard and are developed based on the ambient concentrations of that pollutant

⁹ Code of Federal Regulation (CFR) [i.e., PSD (40 CFR 52.21, 40 CFR 51.166, 40 CFR 51.165 (b)), Non-attainment NSR (40 CFR 52.24, 40 CFR 51.165, 40 CFR part 51, Appendix S).

for each source receptor area.¹⁰ Therefore, projects that do not exceed the SCAQMD's LSTs would not violate any air quality standards or contribute substantially to an existing or projected air quality violation, and do not result in criteria pollutant health impacts.

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

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

The SCAQMD's air quality modeling demonstrates that NO_x reductions prove to be much more effective in reducing O₃ levels and will also lead to significant improvement in PM_{2.5} concentrations. NO_x-emitting stationary sources regulated by the SCAQMD include Regional Clean Air Incentives Market (RECLAIM) facilities (e.g., refineries, power plants, etc.), natural gas combustion equipment (e.g., boilers, heaters, engines, burners, flares) and other combustion sources that burn wood or propane. The 2016 AQMP identifies robust NO_x reductions from new regulations on RECLAIM facilities, non-refinery flares, commercial cooking, and residential and commercial appliances. Such combustion sources are already heavily regulated with the lowest NO_x emissions levels achievable but there are opportunities to require and accelerate replacement with cleaner zero-emission alternatives, such as residential and commercial furnaces, pool heaters, and backup power equipment. The SCAQMD plans to achieve such replacements through a combination of regulations and incentives. Technology-forcing regulations can drive development and commercialization of clean technologies, with future year requirements for new or existing equipment. Incentives can then accelerate deployment and enhance public acceptability of new technologies.

¹⁰ South Coast AQMD. 2008. *Final Localized Significance Threshold Methodology*. <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=2>.

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

Additionally, as noted above, the SCAQMD adopted the Warehouse Indirect Source Rule (Rule 2305) to obtain the O₃ standards. Rule 2305 was developed consistent with Control Measure MOB-03 from the 2016 AQMP, which required emission reductions at warehouse distribution centers for all pollutants. The SCAQMD expects the Rule to reduce the amount of smog-forming emissions by 10-15 percent from warehouse-related sources (i.e., trucks and cargo handling equipment).

There are significant challenges with correlating specific health effects that will occur as a result of a project's significant criteria air pollutant emissions. Generally, models that correlate criteria air pollutant concentrations with specific health effects focus on regulatory decision-making that will apply throughout an entire air basin or region. These models focus on the region-wide health effects of pollutants so that regulators can assess the costs and benefits of adopting a proposed regulation that applies to an entire category of air pollutant sources, rather than the health effects related to emissions from a specific proposed project or source. Because of the scale of these analyses, any one project is likely to have only very small incremental effects which may be difficult to differentiate from the effects of air pollutant concentrations in an entire air basin. In addition, such modeling efforts are costly, and the value of a project-specific analysis may be modest in relation to that cost. Furthermore, the results, while costly to produce, may not be particularly useful. For regional pollutants, it is difficult to trace a particular project's criteria air pollutant emissions to a specific health effect. Moreover, the modeled results may be misleading because the margin of error in such modeling is large enough that, even if the modeled results report a given health effect, the model is sufficiently imprecise that the actual effect may differ from the reported results; that is, the modeled results suggest precision, when in fact available models cannot be that precise on a project level.

As discussed above, the mass emissions thresholds developed by SCAQMD and used by CEQA lead agencies throughout southern California to determine potential significance of project-related regional changes in the environment are not directly indicative of exceedances of applicable ambient air standards. Meteorology, the presence of sunlight, and other complex chemical factors all combine to determine the ultimate concentration and location of O₃ or PM. The effects on ground-level ambient concentrations of pollutants that may be breathed by people are also influenced by the spatial and temporal patterns of the emission sources. In other words, the effect on O₃ and PM concentrations from a given mass of pollutants emitted in one location may vary from the effect if that same mass of pollutants was emitted in an entirely different location in the SCAB. The same effect may be observed when the daily and seasonal variation of emissions is taken into account. Regional-scale photochemical modeling, typically performed only for NAAQS attainment demonstration and rule promulgation, account for these changes in the spatial, temporal, and chemical nature of regional emissions.

Emissions from the construction and operation of the proposed Project would vary by time of day, month, and season, and the majority of Project-related emissions, being generated by mobile sources (cars and

trucks) driving to and from the site, would be emitted throughout a wide area defined by the origins and destinations of people traveling to and from the proposed Project. As SCAQMD has stated, “it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels over an entire region.”¹¹

As previously discussed, localized effects of on-site Project emissions on nearby receptors for the Project would be less than significant (refer to **Table 4.3-19** and **Table 4.3-20**). The LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standard. The LSTs were developed by the SCAQMD based on the ambient concentrations of that pollutant for each SRA and distance to the nearest sensitive receptor. The ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect public health, including protecting the health of sensitive populations. However, as discussed above, neither the SCAQMD nor any other air district currently have methodologies that would provide Lead Agencies and CEQA practitioners with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from a proposed Project’s mass emissions. Information on health impacts related to exposure to O₃ and particulate matter emissions published by the U.S. EPA and CARB have been summarized above and discussed in the Regulatory Setting section. Health studies are used by these agencies to set the NAAQS and CAAQS.

For extremely large regional projects (unlike the proposed Project), the SCAQMD states that as part of their rulemaking activity it has been able to correlate potential health outcomes for very large emissions sources; specifically, 6,620 pounds/day of NO_x and 89,180 pounds/day of VOC were expected to result in approximately 20 premature deaths per year and 89,947 school absences due to O₃. Based on its recent experiences applying regional scale models to relatively small increase in emissions, SCAQMD stated in its Amicus Brief in the *Sierra Club v. County of Fresno* case: “[A] project emitting only 10 tons per year of NO_x or VOC is small enough that its regional impact on ambient ozone levels may not be detected in the regional air quality models that are currently used to determine ozone levels.”¹² The Brief makes it clear that SCAQMD does not believe that there must be a quantification of a project's health risks in CEQA documents prepared for individual projects. Any attempt to quantify the proposed Project's health risks would be considered unreliable and misleading. As shown previously on **Table 4.3-13** through **Table 4.3-17**, the proposed Project does not generate 6,620 pounds/day of NO_x or 89,190 pounds/day of VOC emissions. Therefore, the Project’s emissions are not sufficiently high enough to use regional modeling program to correlate health effects on a basin-wide level.

Although it may be misleading and unreliable to attempt to specifically and numerically quantify the Project’s health risks, this analysis provides extensive information concerning the Project's potential health risks. While the Project is expected to exceed the SCAQMD’s numeric regional mass daily thresholds, this does not in itself constitute a significant health impact to the population adjacent to the Project and within the SCAB. The reason for this is that the mass daily thresholds are in pounds per day emitted into the air whereas health effects are determined based on the concentration of emissions in

¹¹ South Coast Air Quality Management District. 2015. *Amicus Brief in Support of Neither Party, Sierra Club v. County of Fresno*.

¹² South Coast Air Quality Management District. 2015. *Amicus Brief in Support of Neither Party, Sierra Club v. County of Fresno*, p. 1.

the air at particular receptor (e.g., parts per million by volume of air, or micrograms per cubic meter of air).

The NAAQS and CAAQS were developed to protect the most susceptible population groups from adverse health effects and were established in terms of parts per million or micrograms per cubic meter for the applicable emissions. As stated earlier, the mass emission thresholds were established primarily in conjunction with federal permitting “major source” thresholds. If emissions were below these “de minimis” emission rates, then the proposed Project is presumed to conform with the NAAQS.¹³ While based on the status of an air basin level of attainment of the health-based NAAQS, emissions in excess of the mass emission thresholds from one project does not mean the air basin would experience measurably higher ground level concentrations, or more frequent occurrences of ground level concentrations in exceedance of standards, or delay timely attainment of a particular NAAQS.

O₃ concentrations are dependent upon a variety of complex factors, including the presence of sunlight and precursor pollutants, natural topography, nearby structures that cause building downwash, atmospheric stability, and wind patterns. Because of the complexities of predicting ground-level O₃ concentrations in relation to the NAAQS and CAAQS, none of the health-related information can be directly correlated to the pounds/day or tons/year of emissions estimated from a single, proposed project. It should also be noted that this analysis identifies health concerns related to particulate matter, CO, O₃, and NO₂. **Table 4.3-1** includes a list of criteria pollutants and summarizes common sources and effects. Thus, this analysis is reasonable and intended to foster informed decision making. Due to the uncertainty in the relationship between project-level mass emissions and regional ozone formation as well as limitations with currently available technical tools, the resulting health effects associated with the Project cannot be identified. Given this is speculative, no meaningful conclusion can be drawn with respect to potential health effects from the criteria pollutant emissions of the proposed Project.

Carbon Monoxide Hotspots

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

As shown in **Table 4.3-2**, ambient CO levels in the Project area are significant below the CAAQS and NAAQS thresholds for CO. The SCAB was re-designated as attainment in 2007 and is no longer addressed in the SCAQMD’s AQMP. The 2003 AQMP is the most recent version that addresses CO concentrations. As part of the SCAQMD CO Hotspot Analysis, the Wilshire Boulevard and Veteran Avenue intersection, one of the

¹³ US Environmental Protection Agency. ND. Frequent Questions about General Conformity. <https://www.epa.gov/general-conformity/frequent-questions-about-general-conformity> (accessed July 2019).

most congested intersections in southern California with an average daily traffic (ADT) volume of approximately 100,000 vehicles per day, was modeled for CO concentrations. This modeling effort identified a CO concentration high of 4.6 ppm, which is well below the 35-ppm Federal standard. The Project considered herein would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD's CO Hotspot Analysis. As the CO hotspots were not experienced at the Wilshire Boulevard and Veteran Avenue intersection even as it accommodates 100,000 vehicles daily, it can be reasonably inferred that CO hotspots would not be experienced at any vicinity intersections resulting from 43,549 additional vehicle trips attributable to the Project. Therefore, impacts would be less than significant.

Diesel Particulate Matter

Construction of the Project would result in the generation of DPM emissions from the use of required off-road diesel equipment required. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer.

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

Additionally, construction is subject to and would comply with California regulations (e.g., California Code of Regulations, Title 13, Sections 2485 and 2449), which reduce DPM and criteria pollutant emissions from in-use off-road diesel-fueled vehicles and limit the idling of heavy-duty construction equipment to no more than five minutes. These regulations would further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. Given the temporary and intermittent nature of construction activities likely to occur within specific locations in the Project site (i.e., construction is not likely to occur in any one location for an extended time), the dose of DPM of any one receptor is exposed to would be limited. Therefore, considering the relatively short duration of DPM-emitting construction activity at any one location, and the highly dispersive properties of DPM, sensitive receptors would not be exposed to substantial concentrations of construction-related TAC emissions.

Operational vehicle DPM emissions were estimated using emission factors for coarse particulate matter less than 10 microns in diameter (PM_{10}) generated with the EMFAC developed by CARB. EMFAC is a mathematical model that was developed to calculate emission rates from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by CARB to project changes in

future emissions from on-road mobile sources. EMFAC, incorporates regional motor vehicle data, information and estimates regarding the distribution of vehicle miles traveled (VMT) by speed, and number of starts per day. The model includes the emissions benefits of the truck and bus rule and the previously adopted rules for other on-road diesel equipment. Sensitive receptors near the Project site include a single-family residential unit approximately 410 feet to the northeast.

A Health Risk Assessment (HRA) was conducted based on the SCAQMD's Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis and the SCAQMD Risk Assessment Procedures and the guidance from OEHHA. Construction-related activities would result in Project-generated emissions of DPM from the exhaust of off-road, heavy-duty diesel equipment for demolition; site preparation (e.g., clearing, grading); building construction; paving; application of architectural coatings; on-road truck travel; and other miscellaneous activities. For construction activity, DPM is the primary toxic air contaminant of concern. On-road diesel-powered haul trucks traveling to and from the construction area to deliver materials and equipment are less of a concern because they would not stay on the site for long durations. Diesel exhaust from construction equipment operating at the site poses a health risk to nearby sensitive receptors, however, exhaust would be temporary and disperse rapidly, and is therefore not expected to affect nearby sensitive receptors.

Construction and operational emissions rates in grams per second were modeled in AERMOD to determine pollutant concentrations in the Project area. AERMOD is a U.S. EPA-approved steady-state, multiple-source, Gaussian dispersion model designed for use with emission sources situated in terrain where ground elevations can exceed the stack heights of the emission sources. AERMOD requires hourly meteorological data consisting of wind vector, wind speed, temperature, stability class, and mixing height. Uniform Cartesian receptors were used to evaluate the locations of the maximally exposed sensitive receptors. Surface and upper air meteorological data from the Banning Monitoring Station provided by the SCAQMD was selected as being the most representative meteorology. In addition, National Elevation Dataset (NED) terrain data was imported into AERMOD for the Project. The modeling and analysis were prepared in accordance with the SCAQMD Modeling Guidance for AERMOD.¹⁴

Note that the concentration estimate developed using this methodology is conservative and is not a specific prediction of the actual concentrations that would occur at the Project site any one point in time. Actual 1-hour and annual average concentrations are dependent on many variables, particularly the number and type of vehicles and equipment operating at specific distances during time periods of adverse meteorology.

A health risk computation was performed to determine the risk of developing an excess cancer risk calculated on a 30-year exposure scenario using the approach described in the OEHHA *Air Toxics Program Guidance Manual for the Preparation of Health Risk Assessments* (February 2015) and the daily breathing rates, age sensitivity factors, exposure duration, and fraction of time at home specified in the SCAQMD, Permit Application Package "N" Risk Assessment Procedures for Rules 1401, 1401.1, and 212 Version 8.1; refer to **Appendix C** for a full discussion of modeling assumptions and calculations. The pollutant

¹⁴ South Coast Air Quality Management District, *SCAQMD Modeling Guidance for AERMOD*, <http://www.aqmd.gov/home/air-quality/meteorological-data/modeling-guidance>, accessed October 2021.

concentrations are then used to estimate the long-term cancer health risk to an individual as well as the non-cancer chronic health index. SCAQMD's threshold for cancer risk is ten in-one-million and the acute or chronic noncancer hazard index is one. Projects that do not exceed these thresholds would not result in a significant impact.

Table 4.3-21 shows the unmitigated and mitigated DPM health risk for the combined construction and operations of the Project. Based on OEHHA *Risk Assessment Guidelines*, the exposure duration for a resident is 30 years, beginning with the third trimester; the exposure duration for workers is 25 years, and the exposure duration for students is nine years. The Project is anticipated to be developed in multiple phases. Operations are assumed to commence following construction of each individual phase. As such, construction of subsequent phases would overlap with operations of the completed phases. The concentrations from these overlapping phases were combined in the risk calculations. Implementation of **MM AQ-1** and **MM AQ-9** would reduce cancer risk from Project construction and operations to below the SCAQMD's 10 in one million threshold for all types of receptors. As such, impacts related to DPM would be less than significant with the implementation of **MM AQ-1** and **MM AQ-9**.

Table 4.3-21: Carcinogenic Risk Assessment

Exposure Scenario	Unmitigated Cancer Risk (Risk per Million) ^{1, 2}	Mitigated Cancer Risk (Risk per Million) ^{1, 2, 3}	Significance Threshold (Risk per Million)	Exceeds Significance Threshold?
Residential Receptors				
Southeast corner of Ceres Avenue and Heather Avenue	88.53	8.18	10	No
Redwood Avenue between Merrill Avenue and Hibiscus Avenue	47.53	3.56	10	No
Northeast corner of Whittram Avenue and Calabash Avenue	61.55	3.41	10	No
Worker Receptors				
Etiwanda Avenue	35.30	5.70	10	No
Whittram Avenue	83.62	5.42	10	No
Cherry Avenue	56.51	2.89	10	No
Student Receptors				
Redwood Elementary School	4.59	0.53	10	No
1. Refer to Appendix A of the HRA. 2. The reported annual pollutant concentration is at the closest receptor (maximally exposed individual resident (MEIR)) in each direction from the Project site. 3. The mitigated exposure scenario shows the risk with MM AQ-1 (Tier 4 Construction Equipment) and MM AQ-9 (electric yard trucks and forklifts)				

Mitigation Measures

See **MM AQ-1** and **MM AQ-9**.

Impact 4.3-4 *Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Level of Significance: No Impact

Construction

Odors that could be generated by construction activities are required to follow SCAQMD Rule 402 to prevent odor nuisances on sensitive land uses. SCAQMD Rule 402, Nuisance, states:

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

During construction, emissions from construction equipment, such as diesel exhaust, and volatile organic compounds from architectural coatings and paving activities may generate odors. However, these odors would be temporary, are not expected to affect a substantial number of people and would disperse rapidly. Therefore, impacts related to odors associated with the Project's construction-related activities would be less than significant.

Operations

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

Mitigation Measures

No mitigation is required.

4.3.6 Cumulative Impacts

Cumulative Short-Term Emissions

The SCAB is designated nonattainment for O₃, PM₁₀, and PM_{2.5} for State standards and nonattainment for O₃ and PM_{2.5} for Federal standards. Appendix D of the SCAQMD White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution (2003) notes that projects that result in emissions that do not exceed the project-specific SCAQMD regional thresholds of significance should result in a less than significant impact on a cumulative basis unless there is other pertinent information to the contrary. Therefore, if a project is estimated to result in emissions that do not exceed the thresholds, the Project's contribution to the cumulative impact on air quality in the SCAB would not be cumulatively considerable. As shown in **Table 4.3-9** through **Table 4.3-12** above, Project construction-related emissions would exceed the SCAQMD significance thresholds for criteria pollutants despite the implementation of **MM AQ-1** and **MM AQ-2**. Therefore, the proposed Project would potentially generate a cumulatively considerable contribution to air pollutant emissions during construction.

The SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the FCAA mandates. The analysis assumed fugitive dust controls would be utilized during construction, including frequent water applications. SCAQMD rules, mandates, and compliance with

adopted AQMP emissions control measures would also be imposed on construction projects throughout the SCAB, which would include related projects. Compliance with SCAQMD rules and regulations would further reduce the Project construction-related impacts. However, as Project construction emissions would exceed SCAQMD thresholds, Project-related construction emissions, combined with those from other projects in the area, would potentially substantially deteriorate local air quality. Construction emissions associated with the Project would represent a cumulatively considerable contribution to significant cumulative air quality impacts.

Cumulative Long-Term Impacts

The SCAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, individual project emissions contribute to existing cumulatively significant adverse air quality impacts. The SCAQMD developed the operational thresholds of significance based on the level above which individual project emissions would result in a cumulatively considerable contribution to the SCAB's existing air quality conditions. Therefore, a project that exceeds the SCAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact.

As shown in **Table 4.3-13** through **Table 4.3-17** above, the Project's operational emissions (primarily mobile source emissions) would exceed the SCAQMD threshold for despite the implementation of mitigation. As a result, operational emissions associated with the Project would result in a cumulatively considerable contribution to significant cumulative air quality impacts. Emissions of motor vehicles are controlled by State and Federal standards and the Project has no control over these standards. PDFs, SCs, and implementation of operational **MM AQ-3** through **MM AQ-10** would reduce emissions by reducing the number of employee vehicles on-site, facilitating EV infrastructure, reducing the amount of time trucks spend idling, and replacing older trucks with newer models. While the Project has some control over mobile source efficiencies, the majority of the mobile source emissions are beyond the Project's control. Therefore, no additional feasible mitigation measures beyond **MM AQ-3** through **MM AQ-10** are available to further reduce emissions, and impacts would remain significant.

Furthermore, compliance with SCAQMD Rule 2305 (Warehouse Indirect Source Rule) is required for all existing and proposed warehouses greater than 100,000 square feet. Warehouse operators are required to implement additional emission reduction strategies or pay a mitigation fee to reduce emissions. Compliance with Rule 2305 would reduce project emissions below what is currently analyzed and also reduce cumulative emissions. As noted above, a preliminary WAIRE calculation has been conducted for the proposed Project and the Project would more than fulfill its WPCO and would bank 28,489 points with implementation of **MM GHG-2** (refer to the Greenhouse Gas Emissions Technical Study) requiring rooftop solar, **MM AQ-9** requiring ZE yard trucks/cargo handling equipment, and PDF AQ-23 requiring 14 EVSE chargers.

4.3.7 Significant Unavoidable Impacts

With implementation of the Project, significant unavoidable impacts would occur in the following areas:

- **AQMP Consistency.** Although the Project would not directly conflict with the 2016 AQMP and SCAG's goals and policies, the Project's exceedance of regional criteria pollutant thresholds would potentially result in a long-term impact on the region's ability to meet state and federal air quality standards. It should be noted that the SCAQMD developed its criteria pollutant thresholds for individual development projects and not necessarily for large projects that would be developed in multiple phases over several years, such as the proposed Specific Plan Project.

As discussed in **Section 4.14: Population and Housing**, the Project would not exceed planned growth projections. However, impacts associated with AQMP compliance would be significant and unavoidable as the Project will involve different land uses that were not previously considered during the SCAG's growth forecasts. (Impact 4.3-1)

- **Project-Related Construction and Operational Emissions.** Despite implementation of mitigation measures, the Project's criteria pollutant emissions would remain above SCAQMD thresholds resulting in a significant and unavoidable impact (Impact 4.3-2). However, localized impacts would be less than significant (Impact 4.3-3).
- **Cumulative Emissions.** As stated above, construction and operational activities would create a significant and unavoidable impact due to exceedances of SCAQMD regional thresholds. Implementation of **MM AQ-1** through **MM AQ-9** would reduce impacts; however, a significant and unavoidable impact would remain.

4.3.8 References

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4.4 BIOLOGICAL RESOURCES

4.4.1 Introduction

This section of the EIR identifies and evaluates potential impacts related to biological resources with the development of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project). The baseline data collection provides information on baseline conditions in the Project area from a literature search, review of existing data, and site surveys. The following biological resources technical report is provided in **Appendix D**:

- ELMT Consulting, Inc. (ELMT, 2021). *Speedway Commerce Center II Biological Resources Assessment and Jurisdictional Waters Evaluation (BRA/JWE)*.

Additional sources used include:

- County of San Bernardino (2020). *San Bernardino Countywide Plan*.
- County of San Bernardino (2019). *San Bernardino Countywide Plan Draft Environmental Impact Report*.

The purpose of this analysis is to provide a description of existing biological resources on the Project site and to identify potentially significant impacts that could occur to sensitive biological resources from implementation of Project. As discussed in **Section 3.0: Project Description**, the Project is for the development of high-cube logistics, e-commerce, and commercial facilities and parking field and drop lot areas. Note that a survey buffer was not surveyed since the Project site is almost entirely developed and is surrounded by existing development. Further, site access to the adjacent properties was a limiting factor. Since the Project site and surrounding area is developed, no sensitive biological resources are expected to occur on or adjacent to the Project site. Therefore, a survey buffer was not warranted.

4.4.2 Environmental Setting

The objective of the BRA/JWE was to determine whether the Project site supports special status or otherwise sensitive species and/or their habitat, and to address the potential effects associated with the Project on those resources. The species and habitats addressed in the BRA/JWE are based on database information and field investigation. See Section 2 of the BRA/JWE for methodology. ELMT conducted an extensive literature review which provided a baseline from which to inventory the biological resources potentially occurring on the subject property. The Project encompasses approximately 433 acres of the approximately 522-acre existing Auto Club Speedway (ACS) facility. A field investigation was conducted on September 2, 2021, of the entire 522-acre ACS site. A follow up site visit was also conducted on September 9, 2021 to assess the site for Delhi Sands Flower-loving fly (DSF). A soil series assessment was also conducted, as well as a review for jurisdictional drainages and wetlands. Information for the environmental setting is derived largely from the BRA/JWE.

Existing Conditions

Site Conditions

The Project site is almost entirely developed and currently supports the ACS. The site is generally covered by existing pavement, racetrack and support facilities (grandstands, paddock, gates, etc.), as well as an existing drag strip, go-kart track, and parking facilities. A stormwater detention basin exists within the southwestern corner of the site, adjacent to San Sevaine Channel. Ornamental landscaping exists along the Project site's eastern perimeter along Cherry Avenue and in patches within various internal areas of the Project site.

Topography and Soils

The overall site generally drains to the south and west with approximate surface elevations of 1,090 feet at the southwest corner of the site to 1,170 feet at the northeast corner of the site.¹ The topography on-site is variable, including flat and gently sloping parking areas on the southwest portion of the site.

According to the Natural Resources Conservation Service (NRCS) Custom Soil Resource Report, created for the Project on September 22, 2021, the Project site is underlain by Tujunga gravelly loamy sand (0 to 9 percent slopes) and an approximate 1.4-acre area identified as Water on the northwest portion of the site. The Tujunga soil series consists of very deep, somewhat excessively drained soils that formed in alluvium from granitic sources. They are found on alluvial fans and floodplains, including urban areas. The NRCS identifies a small portion in the northeast corner of the Project site as "Water." According to the NRCS, "Water" includes streams, lakes, ponds, and estuaries that are covered with water, deep enough or moving, that growth of rooted vegetation is precluded. The NRCS mapped "Water" corresponds to a historic agricultural basin that was located on this portion of the Project site, that was removed during the development of the speedway. This feature no longer occurs on-site. Soils within the Project site have been heavily disturbed and compacted by the existing speedway facilities which include concrete and pavement over nearly the entire Project site. The portion of the site soils identified as "water" have been paved over by a parking lot.

Vegetation and Land Cover

The majority of the Project site is developed with no native habitat or soil. Only one plant community, California buckwheat scrub alliance, was observed in the southwest corner of the site, within and around the existing stormwater detention basin during the field survey. In addition, two land cover types that would be classified as disturbed and developed, cover the majority of the Project site. These areas are not plant community classifications, but rather land cover types. The vegetation community and land cover types are described in further detail below and shown in **Figure 4.4-1: Vegetation**.

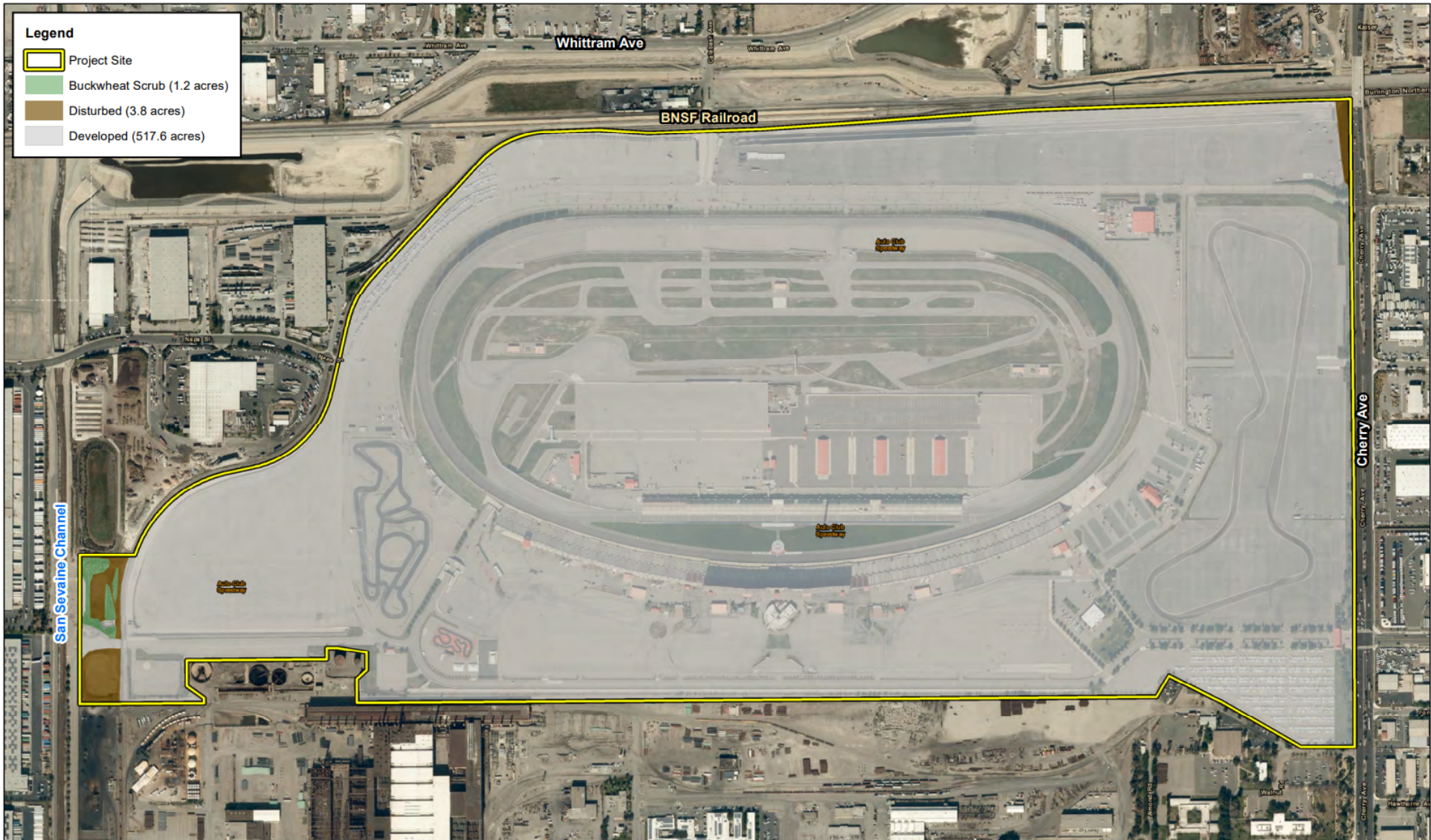
California Buckwheat Scrub Alliance

The Project site supports an isolated California buckwheat scrub alliance plant community of approximately 1.2 acres on the southwest corner of the Project site, primarily in and around the existing stormwater detention basin. While this plant community is naturally occurring in the undeveloped areas

¹ Kleinfelder. 2021. Preliminary Report of Geotechnical Study. Page 5.

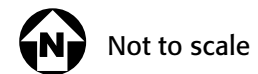
of the region, the 1.2 acres appears to have been planted in and around the basin to maintain slope integrity within the basin which was developed as part of the stormwater control system for the speedway grounds. Therefore, the presence of plant community is not considered a remnant of an undeveloped area within the region. The plant community on-site is dominated by California buckwheat (*Eriogonum fasciculatum*) and supports a limited diversity of native species once common to the area. Common plant species observed in the California buckwheat scrub supported by the Project site include mulefat (*Baccharis salicifolia*), California sagebrush (*Artemisia californica*), tree of heaven (*Ailanthus altissima*), horseweed (*Erigeron sp.*), common sunflower (*Helianthus annuus*), jimsonweed (*Datura wrightii*), tree tobacco (*Nicotiana glauca*), telegraph weed (*Heterotheca grandiflora*), and golden crownbeard (*Verbesina encelioides*).

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Source: ELMT Consulting, Inc., 2021

FIGURE 4.4-1: Vegetation
Speedway Commerce Center II
City of Rancho Cucamonga



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Disturbed

Disturbed areas are generally areas that are unpaved, have been subject to a high level of human disturbances from anthropogenic activities, support minimal vegetation, and no longer comprise a native plant community. Within the boundaries of the Project site, disturbed areas occur within the bottom of the stormwater detention basin on the southwest corner of the Project site (approximately 0.74 acre), and in areas that are routinely disturbed and used as storage yards and additional parking. Plant species occurring in disturbed areas on-site include jungle rice (*Echinochloa colona*), cheeseweed (*Malva parviflora*), ragweed (*Ambrosia psilostachya*), Mexican sprangletop (*Leptochloa fusca*), totalote (*Centaurea melitensis*), puncture vine (*Tribulus terrestris*), tumbleweed (*Amaranthus albus*), Mediterranean mustard (*Hirschfeldia incana*), red brome (*Bromus rubens*), and prickly lettuce (*Lactuca serriola*).

Developed

Developed areas generally encompass all buildings/structures, parks, ornamental landscaping, and other paved, impervious surfaces; and such areas are dominant throughout the site. Approximately 520.06 acres of the 522-acre Project site consists of developed areas, such as racetracks and parking areas that are devoid of vegetation, and landscaped areas. Ornamental landscaping accounts for the majority of vegetation found in developed areas, and includes plant species such as magnolia trees (*Magnolia sp.*), lantanas (*Lantana sp.*), palm trees (*Washingtonia sp.*), manicured grass lawns (i.e., *Cynodon dactylon*), crape myrtle (*Lagerstroemia sp.*), Peruvian pepper (*Schinus molle*), Brazilian pepper (*Schinus terebinthius*), podocarpus (*Podocarpus sp.*), bougainvillea (*Bougainvillea sp.*), and ice plant (*Delosperma sp.*).

It should be noted that the RV parking areas in the middle of the existing two-mile racing track were included in the developed land cover type. These parking areas were graded during initial development activities and planted with grass, and are routinely manicured and subject to RV parking and other anthropogenic activities.

Wildlife

Fish

No fish or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for fish were observed on or within the vicinity of the Project site. Therefore, no fish are expected to occur and are presumed absent from the Project site.

Amphibians

No amphibians or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for amphibian species were observed on or within the vicinity of the Project site. Therefore, no amphibians are expected to occur on the Project site and are presumed absent.

Reptiles

The California buckwheat scrub and ornamental landscaping found on-site have the potential to provide suitable foraging and cover habitat for a variety of reptilian species adapted to significant anthropogenic

disturbance. No reptiles were observed during the field investigation. Common reptilian species that may occur on-site include common side-blotched lizard (*Uta stansburiana elegans*), San Diego alligator lizard (*Elgaria multicarinata webbii*), and Great Basin fence lizard (*Sceloporus occidentalis longipes*).

Birds

The California buckwheat scrub and ornamental landscaping found on-site have the potential to provide suitable foraging and nesting habitat for a variety of resident and migrant bird species adapted to significant anthropogenic disturbance. Avian species observed during the field investigation include house finch (*Haemorrhous mexicanus*), Anna's hummingbird (*Calypte anna*), northern mockingbird (*Mimus polyglottos*), black phoebe (*Sayornis nigricans*), American kestrel (*Falco sparverius*), lesser goldfinch (*Spinus psaltria*), Say's phoebe (*Sayornis saya*), mourning dove (*Zenaida macroura*), European starling (*Sturnus vulgaris*), Eurasian collared-dove (*Streptopelia decaocto*), killdeer (*Charadrius vociferans*), great egret (*Ardea alba*), common raven (*Corvus corax*), barn swallow (*Hirundo rustica*), northern rough-winged swallow (*Stelgidopteryx serripennis*), and Cassin's kingbird (*Tyrannus vociferans*).

No active nests or birds displaying nesting behavior were observed during the field survey, which was conducted during breeding season. The vegetation found on and surrounding the Project site has the potential to provide suitable nesting habitat for year-round and seasonal avian residents, as well as migrating songbirds that could occur in the area if adapted to urban environments.

Mammals

The California buckwheat scrub and ornamental landscaping found on-site have the potential to provide suitable foraging and denning habitat for a variety of mammalian species adapted to significant anthropogenic disturbance. Most mammal species are nocturnal and are difficult to observe during a diurnal field visit. The only mammalian species observed during the field investigation were cottontail (*Sylvilagus audubonii*) and California ground squirrel (*Otospermophilus beecheyi*). Common mammalian species that have potential to occur on-site include opossum (*Didelphis virginiana*), raccoon (*Procyon lotor*), and coyote (*Canis latrans*). Structures and ornamental tree species may provide suitable roosting opportunities for local common bat species (i.e., California myotis (*Myotis californicus*), Mexican free-tailed bat (*Tadarida brasiliensis*), and little brown bat (*Myotis lucifugus*)), but the degree and frequency of routine disturbance is likely to preclude them from roosting on-site. Most of these bats roost in caves, rock crevices, buildings, and sometimes dead trees, and the ornamental plant species found in the area do not typically provide suitable long-term roosting or maternity habitat. None of the special-status bat species known to occur in the area are expected to occur on-site.

Insects

In addition to the general BRA, ELMT conducted a Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*; DSF) suitability assessment. Even though the Project site is not located within or downwind of any mapped Delhi fine sand soils, the habitat suitability assessment consisted of a visual and tactile inspection of all of the undeveloped areas on the Project site to ensure no Delhi sand soils occur on-site that could provide suitable habitat for DSF. The site was evaluated for the quality or purity of Delhi Sands

and for its potential to support DSF. Areas were assigned one or more ratings ranging between 1 and 5, with 5 being the best quality and most suitable habitat.

ELMT rated the Project site as being unsuitable for DSF with a habitat suitability rating of 1. There are no known extant DSF populations in the immediate vicinity. It is improbable that a dispersing DSF individual would temporarily occupy the undeveloped areas within the Project site. Given the unsuitable rating of Delhi sand soils, the general lack of DSF sightings in this area, the recognized adverse changes in soil chemistry of Delhi sand soils in areas subjected to previous development and anthropogenic activities, DSF is presumed absent from the Project site. Additionally, it is highly unlikely that the Project site can become occupied in the near future. No further actions or focused surveys are recommended. For further details on the suitability assessment, see the BRA/JWE.

Burrowing Owl

During the field investigation, ELMT looked for recent signs (i.e., pellets, feathers, castings, or whitewash) for the burrowing owl (*Athene cunicularia*) and no suitable habitat areas were identified within the Project site. Portions of the Project site, primarily the RV parking area located in the racetrack infield, is unvegetated and/or vegetated with a variety of low-growing plant species (landscaped/manicured grass lawns) that allow for line-of-sight observation favored by burrowing owls. Additionally, the stormwater detention basin on the southwest corner of the Project site provides minimal habitat for burrowing owls since it is one of the only undeveloped portions of the site. The intensity and frequency of routine anthropogenic disturbance associated with on-site landscaping maintenance (i.e., grass mowing and watering) and RV parking are likely to preclude burrowing owls from occurring on-site.

Based on the results of the field investigation, it was determined that the Project site has a low potential to support burrowing owls and no suitable habitat areas were identified. The burrows observed in the middle of the racetrack infield were occupied by ground squirrels and did not have any recent or old signs of burrowing owl use, and the stormwater detention basin did not support any suitable burrows.

A BRA was prepared for the Next Gen motorsports facility project; see **Section 3.0 Project Description** for details. The Project would surround the separate Next Gen motorsports facility. The Project would be constructed on 433 acres of the existing site. The remaining approximately 90 acres are not a part of this Project, and plan to be developed as the Next Gen motorsports facility. The Next Gen motorsports facility project prepared an Addendum EIR that analyzed the impacts associated with the demolition of the 2-mile oval racetrack and associated facilities within the RV parking grass area. With that, the BRA prepared for Next Gen motorsport facility Addendum EIR identified that the grass areas within the site were not suitable for BUOW due to the high frequency of grass mowing and watering and the detention area on-site provided marginally suitable habitat. BUOW was considered absent from the site at the time of the survey. The Next Gen motorsports facility will perform a pre-construction survey prior to any construction activities on site. Demolition activities as a result of implementation of the Next Gen motorsports facilities would occur within the RV parking area prior to implementation of the SCCIISP. No further actions or focused surveys are recommended. For further details on the suitability assessment, see the BRA/JWE.

Special-Status Biological Resources

Special-Status Plants

According to the California Natural Diversity Database (CNDDDB) and California Native Plant Society (CNPS), 55 special-status plant species have been recorded in Guasti, Fontana, Cucamonga Peak, and Devore quadrangles which encompass the Project site.

No special-status plant species were observed during the field investigation. While the field investigation was conducted outside of the blooming period for most of these special-status plant species, the site and surrounding area have not supported natural plant communities for decades due to historic agricultural activities, industrial development, and existing land uses, therefore, no special plant species are anticipated to occur.

The Project site is primarily composed of developed land that does not support native vegetation or natural plant communities. It should be noted that the California buckwheat scrub alliance on the southwest corner of the Project site, associated with the stormwater detention basin, is not a naturally occurring plant community, as it was installed to maintain the integrity of the slopes on the basin. The heavy disturbances from historic development and continual use of the site have eliminated the ability of the Project site to provide suitable habitat for special-status plant species and seed sources for special-status plant species known to occur in the area. Based on habitat requirements for the identified special-status species, and known distributions, it was determined that the Project site does not have the potential to support any of the special-status plant species known to occur within the vicinity of the site and are presumed absent.

Special-Status Wildlife

According to the CNDDDB, 75 special-status wildlife species have been reported in the Guasti, Fontana, Cucamonga Peak, and Devore quadrangles. Special-status wildlife species with the potential to occur on the Project site are presented in **Table 4.4-1** below.

Table 4.4-1: Special-Status Wildlife

Scientific Name Common Name	Status	Habitat	Observed On-site	Potential to Occur
<i>Accipiter cooperii</i> Cooper's hawk	Fed: None CA: WL	Common yearlong resident of California. Typically forages in broken woodland and habitat edges with dense stands of coast live oak (<i>Quercus agrifolia</i>), riparian deciduous, or other forest habitat near water. Usually nests in dense riparian areas, usually near streams.	No	High The project site provides suitable foraging opportunities, but no nesting opportunities are present. This species is adapted to urban environments and occurs commonly.

<i>Scientific Name</i> Common Name	Status	Habitat	Observed On-site	Potential to Occur
<i>Accipiter striatus</i> sharp-shinned hawk	Fed: None CA: WL	Found in pine, fir, and aspen forests. They can be found hunting in forest interior and edges from sea level to near alpine areas. Can also be found in rural, suburban, and agricultural areas, where they often hunt at bird feeders. Typically found in southern California in the winter months.	No	High The project site provides suitable foraging opportunities, but no nesting opportunities are present. This species is adapted to urban environments and occurs commonly.
<i>Ardea alba</i> great egret	Fed: None CA: None	Yearlong resident throughout California, except for the high mountains and deserts. Feeds and rests in fresh, and saline emergent wetlands, along the margins of estuaries, lakes, and slow-moving streams, on mudflats and salt ponds, and in irrigated croplands and pastures.	Yes	Present Observed foraging in the landscaped grass lawns on-site.
<i>Ardea herodias</i> great blue heron	Fed: None CA: None	Fairly common all year throughout most of California, in shallow estuaries and fresh and saline emergent wetlands. Less common along riverine and rocky marine shores, in croplands, pastures, and in mountains about foothills.	No	Moderate The project site provides minimal foraging opportunities, but no nesting opportunities are present.
<i>Athene cunicularia</i> burrowing owl	Fed: None CA: SSC	Primarily a grassland species, but it persists and even thrives in some landscapes highly altered by human activity. Occurs in open, annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. The overriding characteristics of suitable habitat appear to be burrows for roosting and nesting and relatively short vegetation with only sparse shrubs and taller vegetation.	No	Low The landscaped lawn areas, especially within the RV park, provide line-of-sight opportunities favored by burrowing owls and several suitable burrows (>4 inches) were observed within and surrounding ornamental landscaping. However, the majority of the site supports tall structures, light poles, and fences that provide perching opportunities for large raptor species (i.e., red-tailed hawk [<i>Buteo jamaicensis</i>]) that prey on burrowing owls. In addition, existing on-site land uses present significant routine disturbance.
<i>Egretta thula</i> snowy egret	Fed: None CA: None	Widespread in California along shores of coastal estuaries, fresh and saline emergent wetlands, ponds, slow-moving rivers, irrigation ditches, and wet fields. In southern California, common yearlong in the Imperial Valley and along the Colorado River.	No	Low The site provides limited foraging opportunities. No nesting opportunities are present.
<i>Eremophila alpestris actia</i> California horned lark	Fed: None CA: WL	Occurs in meadows, grasslands, open fields, prairie, and alkali flats. This subspecies is typically found in coastal regions.	No	High The project site provides suitable foraging habitat, but no nesting opportunities are present.

<i>Scientific Name</i> Common Name	Status	Habitat	Observed On-site	Potential to Occur
<i>Larus californicus</i> California gull	Fed: None CA: WL	Require isolated islands in rivers, reservoirs, and natural lakes for nesting, where predations pressures from terrestrial mammals are diminished. Uses both fresh and saline aquatic habitats at variable elevations and degrees of aridity for nesting and for opportunistic foraging.	No	High The project site provides suitable foraging habitat, but no nesting opportunities are present.
WL = Watch List and SSC = Species of Special Concern Source: ELMT. 2021. <i>BRA/JWE</i> . Table C-1: Potentially Occurring Special-Status Biological Resources				

Special-Status Plant Communities

According to the CNDDDB, five special-status plant communities have been reported in the Guasti, Fontana, Cucamonga Peak, and Devore quadrangles: Mixed Montane Chaparral, Semi Desert Chaparral, Southern Sycamore Alder Riparian Woodland, Southern Willow Scrub, and Westside Ponderosa Pine Forest. Based on the results of the field investigation, no special-status plant communities were observed on-site. Therefore, no special-status plant communities would be impacted by Project implementation.

State and Federal Jurisdictional Areas

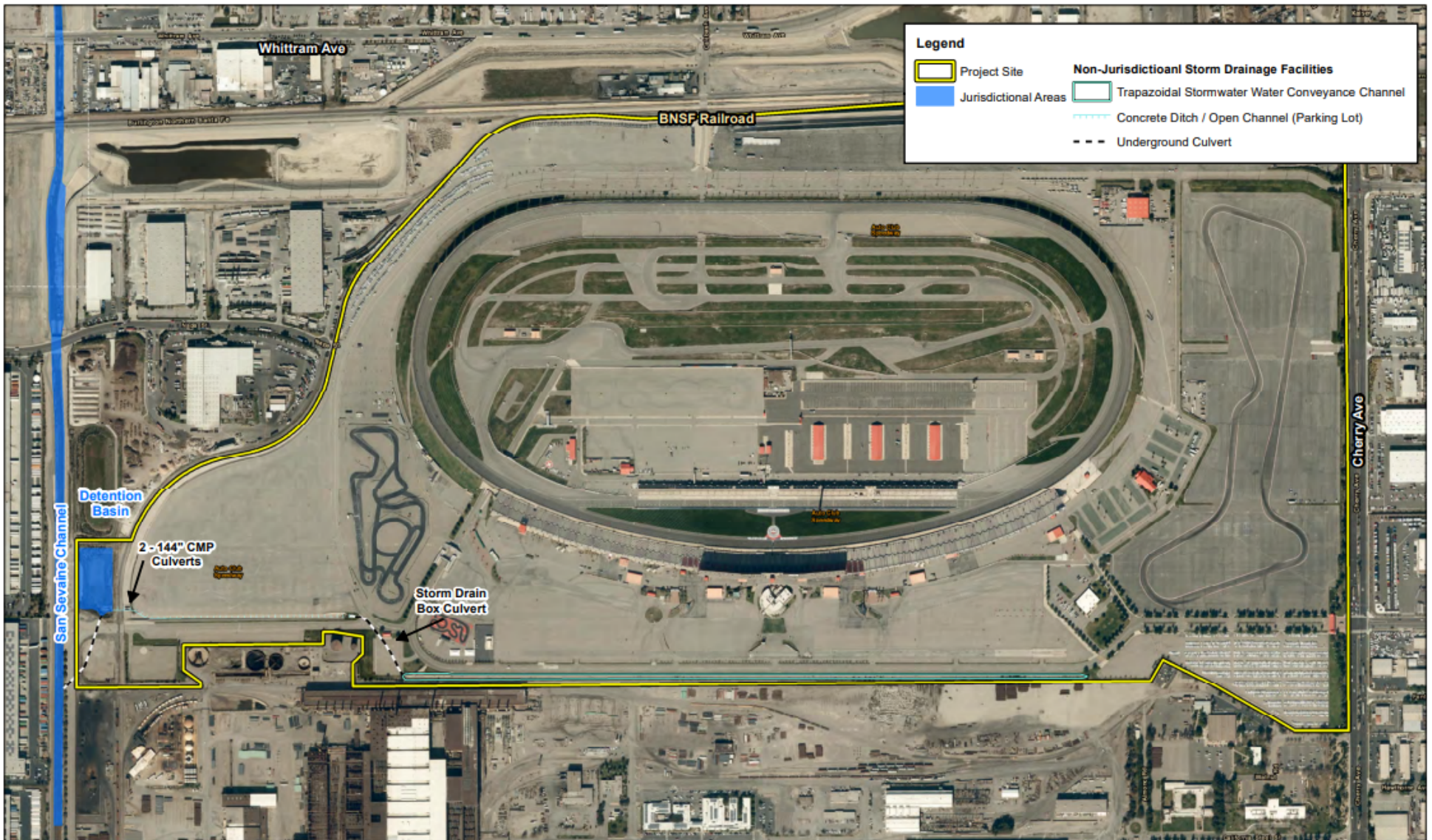
Adjacent to the southwest corner of the site, San Sevaine Channel exists as a concrete channel and flows from north to south. According to the existing drainage facilities identified by the Master Developer's proposed drainage plans, storm flows currently from the northeast to the southwest on the Project site and are conveyed into storm drains and concrete lined v-ditches located in various areas of the site and flow into two 144-inch CMP culverts that connect to the stormwater detention basin on the southwest corner of the site. It should also be noted that while the parking areas in the western portions of the site bear evidence of water staining, these areas only receive flows during storm events, and such flows are conveyed across the parking lots to the v-ditches via sheet flow and are not considered jurisdictional. Additionally, a concrete lined trapezoidal stormwater conveyance channel extends east to west along the site's southern boundary and conveys storm flows from the northeast to the southwest portions of the site. The trapezoidal channel, near the southwest portion of the site, becomes an underground storm drain box culvert and flows to the north for a short reach before turning west and extending through an open concrete ditch/open channel that is part of the parking lot. From the open concrete ditch/open channel storm flows connect into the stormwater detention basin on the southwest corner of the site via the same two 144-inch CMP culverts.

The stormwater detention basin in the southwest corner of the site supported minimal standing water during the field survey, primarily from runoff on the concrete portion of the basin, and sparse stands of narrowleaf willow (*Salix exigua*) and mulefat (*Baccharis salicifolia*). The southern boundary of the stormwater detention basin connects into an underground culvert that conveys flow off-site and into the San Sevaine Channel during large storm events. The basin is designed to allow most stormwater to percolate into the ground, releasing high storm event flows into an underground culvert that outlets to the San Sevaine Channel.

If impacted, San Sevaine Channel, outside of the Project footprint, and the undeveloped portion of the stormwater detention basin on the southwest corner of the Project site (see **Figure 4.4-2: Jurisdictional Areas**) would fall under the regulatory authority of the U.S Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and/or CDFW as the channel was constructed to capture stormwater from major events and the basin supports native vegetation, and captures all of the storm flows from the Project site and has a direct connection into San Sevaine Channel. If any impacts to San Sevaine Channel or the undeveloped portion of the stormwater detention basin would occur from Project implementation, the Master Developer would likely need to obtain the following regulatory approvals prior to impacts occurring within the identified jurisdictional areas, USACE Clean Water Act (CWA) Section 404 Permit, RWQCB CWA Section 401 Water Quality Certification, and/or CDFW Section 1602 Streambed Alteration Agreement (SAA).

The trapezoidal channel along the southern boundary of the Project site, the underground box culverts, open concrete ditch/open channel that is part of the parking lot, concrete lined v-ditches, and concrete, developed portion of the stormwater detention basin are all part of the existing storm drain infrastructure that were constructed wholly in the uplands for the ACS to manage storm flows. These storm facilities will not fall under regulatory authority of the USACE, RWQCB, and/or CDFW because they were constructed in the uplands and did not replace any blueline streams or riparian/riverine features, do not support any vegetation (in particular riparian or Riversidean Alluvial Fan Sage Scrub habitat), are maintained (i.e., cleared of debris/trash), and have to flow through the stormwater detention basin before connecting into San Sevaine Channel. Impacts to these features would not require regulatory approvals.

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Source: ELMT Consulting, Inc., 2021

FIGURE 4.4-2: Jurisdictional Areas
 Speedway Commerce Center II
 City of Rancho Cucamonga

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4.4.3 Regulatory Setting

Federal

Endangered Species Act of 1973

Federally listed threatened and endangered species and their habitats are protected under provisions of the Federal Endangered Species Act (ESA). Section 9 of the ESA prohibits “take” of threatened or endangered species. “Take” under the ESA is defined as to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any of the specifically enumerated conduct.” The presence of any federally threatened or endangered species that are in a project area generally imposes severe constraints on development, particularly if development would result in “take” of the species or its habitat. Under the regulations of the ESA, the United States Fish and Wildlife Service (USFWS) may authorize “take” when it is incidental to, but not the purpose of, an otherwise lawful act.

Critical Habitat is designated for the survival and recovery of species listed as threatened or endangered under the ESA. Critical Habitat includes those areas occupied by the species, in which are found physical and biological features that are essential to the conservation of an ESA listed species and which may require special management considerations or protection. Critical Habitat may also include unoccupied habitat if it is determined that the unoccupied habitat is essential for the conservation of the species.

Whenever federal agencies authorize, fund, or carry out actions that may adversely modify or destroy Critical Habitat, they must consult with USFWS under Section 7 of the ESA. The designation of Critical Habitat does not affect private landowners, unless a project they are proposing uses federal funds, or requires federal authorization or permits (e.g., funding from the Federal Highway Administration or a permit from the USACE).

If USFWS determines that Critical Habitat will be adversely modified or destroyed from a proposed action, the USFWS will develop reasonable and prudent alternatives in cooperation with the federal institution to ensure the purpose of the proposed action can be achieved without loss of Critical Habitat. If the action is not likely to adversely modify or destroy Critical Habitat, USFWS will include a statement in its biological opinion concerning any incidental take that may be authorized and specify terms and conditions to ensure the agency is in compliance with the opinion.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (16 U.S. Government Code [USC] 703) makes it unlawful to pursue, capture, kill, possess, or attempt to do the same to any migratory bird or part, nest, or egg of any such bird listed in wildlife protection treaties between the United States, Great Britain, Mexico, Japan, and the countries of the former Soviet Union, and authorizes the U.S. Secretary of the Interior to protect and regulate the taking of migratory birds. It establishes seasons and bag limits for hunted species and protects migratory birds, their occupied nests, and their eggs (16 USC 703; 50 Code of Federal Regulations [CFR] 10, 21).

The MBTA covers the taking of any nests or eggs of migratory birds, except as allowed by permit pursuant to 50 CFR, Part 21. Disturbances causing nest abandonment and/or loss of reproductive effort (i.e., killing

or abandonment of eggs or young) may also be considered “take.” This regulation seeks to protect migratory birds and active nests.

In 1972, the MBTA was amended to include protection for migratory birds of prey (e.g., raptors). Six families of raptors occurring in North America were included in the amendment: Accipitridae (kites, hawks, and eagles); Cathartidae (New World vultures); Falconidae (falcons and caracaras); Pandionidae (ospreys); Strigidae (typical owls); and Tytonidae (barn owls). The provisions of the 1972 amendment to the MBTA protects all species and subspecies of the families listed above. The MBTA protects over 800 species including geese, ducks, shorebirds, raptors, songbirds, and many relatively common species.

Clean Water Act

Pursuant to Section 404 of the CWA (33 U.S. Code § 1344), the USACE is authorized to regulate any activity that would result in the discharge of dredged or fill material into waters of the U.S. (including wetlands), which include those waters listed in 33 CFR 328.3 (a) (as amended at 85 Federal Register 22250, April 21, 2020; Navigable Waters Protection Rule). The USACE, with oversight from the U.S. Environmental Protection Agency (U.S. EPA), has the principal authority to issue CWA Section 404 permits. The USACE would require a Standard Individual Permit (SIP) for more than minimal impacts to waters of the U.S. as determined by the USACE. Substantial impacts on waters of the U.S. may require an Individual Permit. Projects with minimal individual and cumulative adverse effects on the environment may meet the conditions of an existing Nationwide Permit (NWP).

A water quality certification or waiver pursuant to Section 401 of the CWA (33 U.S. Code § 1341) is required for all Section 404 permitted actions. The RWQCB, a division of the State Water Resources Control Board (SWRCB), provides oversight of the 401-certification process in California. The RWQCB is required to provide Water Quality Certification for licenses or permits that authorize an activity that may result in a discharge from a point source into a water of the U.S. Water Quality Certification authorization “is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements” (40 CFR 121.3).

The National Pollutant Discharge Elimination System (NPDES) is the permitting program for discharge of pollutants into surface waters of the U.S. under Section 402 of the CWA (33 U.S. Code § 1342).

State

California Environmental Quality Act

Section 15380 of the CEQA Guidelines independently defines “endangered” and “rare” species separately from the definitions of the California Endangered Species Act (CESA). Under CEQA, “endangered” species of plants or animals are defined as those whose survival and reproduction in the wild are in immediate jeopardy, while “rare” species are defined as those who are in such low numbers that they could become endangered if their environment worsens.

California Endangered Species Act

In addition to federal laws, the state of California implements the CESA which is enforced by CDFW. The CESA program maintains a separate listing of species beyond the Federal ESA, although the provisions of each act are similar.

State-listed threatened and endangered species are protected under provisions of the CESA. Activities that may result in “take” of individuals (defined in CESA as; “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) are regulated by CDFW. Habitat degradation or modification is not included in the definition of “take” under CESA. Nonetheless, CDFW has interpreted “take” to include the destruction of nesting, denning, or foraging habitat necessary to maintain a viable breeding population of protected species.

The State of California considers an endangered species as one whose prospects of survival and reproduction are in immediate jeopardy. A threatened species is considered as one present in such small numbers throughout its range that it is likely to become an endangered species in the near future in the absence of special protection or management. A rare species is one that is considered present in such small numbers throughout its range that it may become endangered if its present environment worsens. State threatened and endangered species are fully protected against take, as defined above.

The CDFW has also produced a species of special concern list to serve as a species watch list. Species on this list are either of limited distribution or their habitats have been reduced substantially, such that a threat to their populations may be imminent. Species of special concern may receive special attention during environmental review, but they do not have formal statutory protection. At the federal level, USFWS also uses the label species of concern, as an informal term that refers to species which might be in need of concentrated conservation actions. As the Species of Concern designated by USFWS do not receive formal legal protection, the use of the term does not necessarily ensure that the species will be proposed for listing as a threatened or endangered species.

Fish and Game Code

Fish and Game Code (FGC) §§ 3503, 3503.5, 3511, and 3513 are applicable to natural resource management. For example, § 3503 of the FGC makes it unlawful to destroy any birds’ nest or any birds’ eggs that are protected under the MBTA. Further, any birds in the orders Falconiformes or Strigiformes (Birds of Prey, such as hawks, eagles, and owls) are protected under § 3503.5 of the FGC which makes it unlawful to take, possess, or destroy their nest or eggs. A consultation with CDFW may be required prior to the removal of any bird of prey nest that may occur on a project site. Section 3511 of the FGC lists fully protected bird species, where the CDFW is unable to authorize the issuance of permits or licenses to take these species. Pertinent species that are fully protected by the state include golden eagle (*Aquila chrysaetos*) and white-tailed kite (*Elanus leucurus*). Section 3513 of the FGC makes it unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Native Plant Protection Act

Sections 1900–1913 of the FGC were developed to preserve, protect, and enhance Rare and Endangered plants in the State of California. The act requires all state agencies to use their authority to carry out programs to conserve endangered and rare native plants. Provisions of the Native Plant Protection Act prohibit the taking of listed plants from the wild and require notification of the CDFW at least ten days in advance of any change in land use which would adversely impact listed plants. This allows the CDFW to salvage listed plant species that would otherwise be destroyed.

California Native Plant Society Rare and Endangered Plant Species

Vascular plants listed as rare or endangered by the CNPS, but which have no designated status under Federal ESA or CESA are defined as follows:

California Rare Plant Rank

- 1A- Plants Presumed Extirpated in California and either Rare or Extinct Elsewhere
- 1B- Plants Rare, Threatened, or Endangered in California and Elsewhere
- 2A- Plants Presumed Extirpated in California, But More Common Elsewhere
- 2B- Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
- 3- Plants about Which More Information is Needed - A Review List
- 4- Plants of Limited Distribution - A Watch List

Threat Ranks

- .1- Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)
- .2- Moderately threatened in California (20-80% of occurrences threatened/moderate degree and immediacy of threat)
- .3- Not very threatened in California (<20% of occurrences threatened/low degree and immediacy of threat or no current threats known).

Fish and Game Code

FGC §§ 1600 et. seq. establishes a fee-based process to ensure that projects conducted in and around lakes, rivers, or streams do not adversely impact fish and wildlife resources, or, when adverse impacts cannot be avoided, ensures that adequate mitigation and/or compensation is provided.

FGC § 1602 requires any person, state, or local governmental agency or public utility to notify the CDFW before beginning any activity that will do one or more of the following:

- 1) substantially obstruct or divert the natural flow of a river, stream, or lake;
 - 2) substantially change or use any material from the bed, channel, or bank of a river, stream, or lake;
- or

- 3) deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake.

FGC § 1602 applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the state. CDFW's regulatory authority extends to include riparian habitat (including wetlands) supported by a river, stream, or lake regardless of the presence or absence of hydric soils and saturated soil conditions. Generally, the CDFW takes jurisdiction to the top of bank of the stream or to the outer limit of the adjacent riparian vegetation (outer drip line), whichever is greater. Notification is generally required for any project that will take place in or in the vicinity of a river, stream, lake, or their tributaries. This includes rivers or streams that flow at least periodically or permanently through a bed or channel with banks that support fish or other aquatic life and watercourses having a surface or subsurface flow that support or have supported riparian vegetation. A § 1602 Streambed Alteration Agreement (SAA) would be required if impacts to identified CDFW jurisdictional areas occur.

Porter Cologne Act

The Porter-Cologne Act provides for statewide coordination of water quality regulations. The SWRCB was established as the statewide authority and nine separate California Regional Water Quality Control Boards (RWQCBs) were developed to oversee water quality on a day-to-day basis.

The SWRCB is the primary agency responsible for protecting water quality in California. As discussed above, the RWQCBs regulate discharges to surface waters under the CWA. In addition, the RWQCBs are responsible for administering the Porter-Cologne Act.

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

Local

The Countywide Plan

The Countywide Plan's Natural Resources Element² contains the following goal and policies that pertain the Project:

- | | |
|----------------------|--|
| Goal NR-5 | Biological Resources. An interconnected landscape of open spaces and habitat areas that promotes biodiversity and healthy ecosystems, both for their intrinsic value and for the value placed on them by residents and visitors. |
| Policy NR-5.7 | Development review, entitlement, and mitigation. We comply with state and federal regulations regarding protected species of animals and vegetation through the development review, entitlement, and environmental clearance processes. |

² County of San Bernardino. 2020. *The Countywide Plan, Natural Resources Element*. <http://countywideplan.com/policy-plan/beta/nr/> (accessed September 2021).

Policy NR-5.8 Invasive species. We require the use of non-invasive plant species with new development and encourage the management of existing invasive plant species that degrade ecological function.

San Bernardino County Code of Ordinances

The following provisions from the County Code of Ordinances, Title 8: Development Code help minimize biological resources impacts associated with new development projects and are relevant to the Project.

- **Chapter 88.01 (Plant Protection and Management).** This chapter provides regulatory and management guidance for plant resources in unincorporated areas as well as mixed public and private lands. It primarily addresses tree and vegetation removal in public land and private land in unincorporated areas.
- **Section 88.01.060, Desert Native Plant Protection,** conserves specified desert plant species.
- **Section 88.01.070, Mountain Forest and Valley Tree Conservation,** conserves forest resources in the Mountain and Valley regions to supplement the Z'berg-Nejedly Forest Practice Act of 1973 (California Public Resources Code [PRC] § 4526 et seq.). It regulates private and commercial harvesting of trees on public and private land.
- **Section 88.01.080, Riparian Plant Conservation,** addresses the health of riparian corridors, their impact on waterways within the region, their use as habitat by various plant and wildlife species, and their stabilization of stream banks.
- **Chapter 88.02, Soil and Water Conservation,** promotes the health of soil communities to limit soil erosion potential and preserve air quality. This code primarily regulates ground-disturbing activities.

County of San Bernardino Land Use Services, Planning Division

According to the County's Valley/Mountain Region Biotic Resources Overlay Map the Project site is located within the County of San Bernardino's Burrowing Owl Overlay Zone.³ The burrowing owl is listed as a species of special concern by CDFW.

4.4.4 Impact Thresholds and Significance Criteria

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

- 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;

³ County of San Bernardino. 2012. *San Bernardino County Valley/Mountain Regions Biotic Resources Overlay Map*. http://www.sbcounty.gov/Uploads/lus/BioMaps/vly_mtn_all_biotic_resources_map_final.pdf (accessed September 2021).

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- 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;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Methodology and Assumptions

The Project site and its associated design are evaluated against the aforementioned significance criteria as the basis for determining the level of impacts related to biological resources. This analysis considers existing regulations, laws, and standards that serve to avoid or reduce potential environmental impacts. Feasible mitigation measures are recommended, when warranted, to avoid or lessen the Project's significant adverse impacts.

Approach to Analysis

This analysis of impacts on biological resources examines the Project's temporary (i.e., construction as it is limited in duration) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site, and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on the aforementioned biological resources study; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a project would or would not result in "substantial" adverse effects on biological resources considers how the potential for development and operation of the site would affect the resources.

4.4.5 Impacts and Mitigation Measures

Impact 4.4-1 *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction and Operations

Special Status Plant Species

No special-status plant species were observed during the September 2 or September 9, 2021 field investigations. Furthermore, a previous biological resources report was prepared by Jericho Systems Inc. in July 2020 (see **Appendix D**) to address the proposed site redevelopment for the Next Gen motorsports facility, and no special-status plant species were observed during the field investigation for that report. Based on habitat requirements for the identified special-status species, known species distributions, and the quality and availability of habitats present, it was determined that the Project site does not have the potential to support any of the special-status plant species known to occur in the vicinity of the site. The Project would be confined to existing developed areas, and areas that primarily support landscaped areas. As a result, no impacts to special-status plant species are expected to occur. No additional surveys are recommended, and a less than significant impact would occur.

Special-Status Wildlife Species

The only special-status wildlife species observed during the field investigation was the great egret, which does not have any formal status, but is listed in the CNDDDB as a California Department of Forestry and Fire Protection (CDF) “sensitive species” and International Union for Conservation of Nature (IUCN) as a “least concern.” Based on habitat requirements for specific species, the availability and quality of on-site habitats, and isolation of the Project site from suitable habitats, it was determined that the proposed Project site has a high potential to support the following species that are found regionally: Cooper’s hawk (a CDFW Watch List Species), sharp-shinned hawk (CDFW Watch List Species), California horned lark (CDFW Watch List Species), and California gull (CDFW Watch List Species); a moderate potential to support great blue heron (a CDF sensitive species and an IUCN least concern species); and a low potential to support burrowing owl (a CDFW Species of Special Concern) and snowy egret (an IUCN least concern species).

None of the aforementioned species are federally- or state-listed as endangered or threatened. It was further determined that the Project site does not have the potential to support any of the other special-status wildlife species known to occur in the vicinity of the Project site. While the ornamental vegetation and 1.2-acre isolated area of California buckwheat scrub within the stormwater detention basin may provide suitable foraging and cover habitat for a limited number of migratory special-status wildlife species, the Project site is almost entirely composed of and surrounded by developed land, sufficiently isolating potential on-site habitat from natural areas through which most special-status wildlife species might gain access to the site. While the grass areas within the Project site include low growing vegetation and ground squirrel occupation, these areas are not suitable for BUOW due to the high frequency of grass mowing and watering. The intensity and frequency of disturbance precludes BUOW from occupying the grassy areas on site. Furthermore, the Next Gen motorsports facility project prepared an Addendum EIR that analyzed the impacts associated with the demolition of the 2-mile oval racetrack and associated facilities within the RV parking grass area, see **Section 3.0: Project Description** for details. For the Next Gen motorsports facility project, a pre-construction Burrowing Owl Survey is required prior to construction activities following the recommendations and guidelines provided within the *Staff Report on Burrowing Owl Mitigation* (CDFG, March 2012) or most recent version by a qualified biologist. Demolition

activities as a result of implementation of the Next Gen motorsports facilities would occur within the RV parking area prior to implementation of the SCCIISP. Therefore, no additional surveys are recommended.

Nonetheless, in order to ensure impacts to Cooper's hawk, sharp-shinned hawk, great egret, great blue heron, California horned lark, California gull, and snowy egret do not occur from implementation of the Project, a pre-construction nesting bird clearance survey would be conducted pursuant to **Mitigation Measure (MM) BIO-1**. Additionally, to ensure no impacts to burrowing owl occur from Project implementation, a pre-construction burrowing owl clearance survey will be conducted pursuant to **MM BIO-2**. With implementation of the recommended pre-construction surveys, impacts to the aforementioned common and special-status wildlife species would be less than significant.

Mitigation Measures

MM BIO-1 Bird nesting season generally extends from February 1 through August 31 in southern California. To avoid impacts to nesting birds (common and special-status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) three days prior to project-related disturbance to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity, and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

MM BIO-2 All disturbed areas of the Project site, that were determined to have a low potential to provide suitable habitat for burrowing owls, which includes primarily the existing track infield grassy area and the stormwater detention basin area in the southwestern portion of the site, require a pre-construction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls.

Impact 4.4-2 *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Level of Significance: Less than Significant Impact

Construction and Operations

If impacted, the undeveloped portion of the stormwater detention basin on the southwest corner of the Project site, and San Sevaine Channel, outside of the Project footprint would fall under the regulatory authority of the USACE, RWQCB, and CDFW. The Project would modify the existing basin outlet structure to convert the existing detention basin to an infiltration basin to address storm water flows and treat for storm water quality. The modifications to the outlet structure would be contained within the footprint of

the existing concrete apron and outlet structure and would not impact areas outside the existing concrete footprint area. If additional improvements or modifications to the undeveloped portion of the stormwater detention basin are determined to be necessary and these facilities are impacted from implementation of the Project, the Master Developer would need to obtain the following regulatory approvals prior to impacts occurring within the identified jurisdictional areas: USACE CWA Section 404 Permit; RWQCB CWA Section 401 Water Quality Certification; and/or CDFW Section 1602 SAA. Based on the proposed site plan, impacts to the storm water basin would only occur within the existing concrete portion of the basin. As a result, no impacts to jurisdictional waters are expected to occur.

Further, no sensitive habitats were identified within the Project site. Thus, no sensitive natural communities would be impacted from Project implementation. It should be noted that the California buckwheat scrub alliance on the southwest corner of the Project site, associated with the stormwater detention basin, is not a naturally occurring plant community, as it was installed to maintain the integrity of the slopes on the basin. California buckwheat scrub alliance has a global rank of G5 (common, widespread, and abundant) and a State rank of S5 (common, widespread, and abundant in the State), and, therefore, is not considered a sensitive natural plant community.

Mitigation Measures

No mitigation is necessary.

Impact 4.4-3 ***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?***

Level of Significance: No Impact

Construction and Operations

No inundated areas, wetland features, or wetland plant species that would be considered wetlands as defined by Section 404 of the CWA occur within the Project footprint. As a result, implementation of the Project would not result in any impacts or have a substantial adverse effect on protected wetlands.

Mitigation Measures

No mitigation is necessary.

Impact 4.4-4 ***Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?***

Level of Significance: No Impact

Construction and Operations

The Project site is separated from regional wildlife corridors and linkages by existing development and there are no riparian corridors or creeks connecting the Project site to these areas. Moreover, potential nearby corridors such as San Sevaine Channel and Etiwanda Creek (approximately 1.5 miles west of the Project site) have been channelized in association with flood control efforts and no longer supports plant

communities suitable for use as wildlife corridors. Therefore, the Project site does not function as a major wildlife movement corridor or linkage. As such, implementation of the Project is not expected to have a significant impact to wildlife movement opportunities or prevent local wildlife movement through the area. Due to the lack of any identified impacts to wildlife movement, migratory corridors or linkages or native wildlife nurseries, no mitigation is required. Therefore, impacts to wildlife corridors or linkages are not expected to occur.

Mitigation Measures

No mitigation is necessary.

Impact 4.4-5 ***Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

Level of Significance: No Impact

Construction and Operations

The San Bernardino County Development Code, Chapter 88.01 (Plant Protection and Management) pertains to the proposed Project. A regulated tree or plant shall be any of those trees or plants identified in: (1) Section 88.01.060(c) (Regulated desert native plants), (2) Section 88.01.070(b) (Regulated trees), or (3) Section 88.01.080(b) (Regulated riparian plants). No regulated trees or plants identified in Sections 88.01.060(c), 88.01.070(b), or 88.01.080(b) occur on-site. Therefore, impacts to local policies or ordinances are not expected to occur from development of the proposed Project, and mitigation is not required.

Mitigation Measures

No mitigation is necessary.

Impact 4.4-6 ***Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?***

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction and Operations

The Project site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan. Therefore, impacts to any local, regional, or state habitat conservation plans are not expected to occur from development of the Project, and mitigation is not required.

Although the Project is located with the County of San Bernardino's Burrowing Owl Overlay Zone, based on the results of the field investigation, the site has a low potential to support burrowing owls. The Project site did not have any recent signs of burrowing owl use, and the stormwater detention basin did not support any suitable burrows. Therefore, with the implementation of **MM BIO-2**, impacts would be less than significant.

Mitigation Measures

Refer to **MM BIO-2** above.

4.4.6 Cumulative Impacts

For purposes of biological resources, cumulative impacts are considered for projects located within the County and adjacent jurisdictions; see **Table 4-1: Cumulative Projects List, Section 4.0: Environmental Impact Analysis**. As discussed above, all potential Project impacts to biological resources would be less than significant in consideration of compliance with existing laws, ordinances, regulations and standards, and implementation of proposed mitigation measures. As with the Project, all cumulative development in the area would undergo environmental and design review on a project-by-project basis pursuant to CEQA, in order to evaluate potential impacts to biological resources and avoid or reduce any impacts. There are special-status animal species with moderate or high potential to occur on the Project site. However, implementation of mitigation would avoid potential impacts to burrowing owl and nesting bird species that have any potential to occur on the Project site.

As discussed above, Project-level impacts to biological resources would be less than significant. Standard regulatory requirements and procedures are required of other present and reasonably foreseeable future projects. As a result, the proposed Project taken in sum with past, present, and reasonably foreseeable projects would not result in cumulatively considerable impacts on biological resources.

4.4.7 Significant Unavoidable Impacts

No significant and unavoidable impacts concerning biological resources have been identified.

4.4.8 References

County of San Bernardino. 2012. *San Bernardino County Valley/Mountain Regions Biotic Resources Overlay Map*.
http://www.sbcounty.gov/Uploads/lus/BioMaps/vly_mtn_all_biotic_resources_map_final.pdf.

County of San Bernardino. 2020. *The Countywide Plan, Natural Resources Element*.
<http://countywideplan.com/policy-plan/beta/nr/>.

ELMT Consulting, Inc. 2021. *Speedway Commerce Center II Biological Resources Assessment and Jurisdictional Waters Evaluation*.

4.5 CULTURAL RESOURCES

4.5.1 Introduction

This section of the EIR identifies and analyzes the environmental and regulatory settings for cultural resources, as they relate to archaeological remains, historic buildings, traditional customs, tangible artifacts, historical documents, and public records, and assesses whether the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project) would cause any potentially significant impacts to cultural resources. Cultural resources can also include traditional cultural properties and places, including ceremonial and gathering areas, landmarks, and ethnographic locations. Cultural resources also relate to archaeological remains, historic buildings, traditional customs, tangible artifacts, historical documents, and public records, which make a particular site or property unique or significant.

Historically, the term “cultural resources” encompassed archaeological, historical, paleontological, and tribal cultural resources, including both physical and intangible remains, or traces left by historic or prehistoric peoples. However, with the recent changes to the CEQA Appendix G, paleontological resources are now included in the Geology and Soils analysis (see **Section 4.7**). Cultural resources are also discussed in **Section 4.18: Tribal Cultural Resources**.

This analysis is based primarily on the following cultural resources study:

- PaleoWest LLC (2022). *Cultural Resource Assessment (CRA) for the Speedway Commerce Center II Specific Plan Project, San Bernardino County, California* (located in EIR **Appendix E**).

The cultural evaluations were conducted in compliance with California Public Resources Code (PRC) § 5024.1 to identify prehistoric archaeological and historical resources in the Project site and evaluate potential impacts that could result from implementation of the Project. In accordance with PRC § 21082.3 and California Government Code (CGC) § 6254(r), due to the confidential nature of the location of cultural resources, this section does not include maps or location data.

4.5.2 Environmental Setting

Existing Conditions

The Project lies between the cities of Fontana and Rancho Cucamonga in southwestern unincorporated San Bernardino County. The Project encompasses approximately 433 acres of land within the existing 522-acre Auto Club Speedway (ACS) property. The ACS consists of ten parcels (Assessor Parcel Numbers 0231-011-09, -10, -11, -12 and 0231-111-06, -10, 17, -18, -19, -20) bounded by Cherry Avenue to the east, an active freight and passenger rail line to the north, the West Valley Materials Recycling Facility to the west, and California Steel Industries to the south. The Project site lies in Sections 9, 10, 15, and 16, Township 1 South, Range 6 West, San Bernardino Baseline and Meridian, as depicted on the Guasti, CA and Fontana, CA 7.5' U.S. Geological Survey (USGS) topographic quadrangles. The elevation of the Project site ranges from approximately 1,090 to 1,170 feet above mean sea level (amsl).¹

¹ Kleinfelder. 2021. *Preliminary Report of Geotechnical Study*. Page 5.

Ethnographic Setting

Please refer to **Section 4.18: Tribal Cultural Resources**, regarding the ethnography of Native American tribes within the Project site. For information regarding the cultural setting and archeological and historical context, see **Appendix E**.

Prehistoric Setting²

Prehistoric occupation of the inland valleys of southern California can be divided into seven cultural periods: Paleoindian (circa [ca.] 12,000–9,500 years before present [B.P.]); Early Archaic (ca. 9,500–7,000 B.P.); Middle Archaic (ca. 7,000–4,000 B.P.); Late Archaic (ca. 4,000–1,500 B.P.); Saratoga Springs (ca. 1,500–750 B.P.); Late Prehistoric (ca. 750–410 B.P.); and Protohistoric (ca. 410–180 B.P.), which ended in the ethnographic period. Chapter 4 of **Appendix E** states that no prehistoric archaeological resources were identified within the record search area.

These periods are structured based on the archaeological research conducted at Diamond Valley Lake as part of the Eastside Reservoir Project (ESRP), located approximately 40 miles southeast of the Project site. For the most part, the prehistory of the inland valleys of southern California that characterizes the Project site has been less thoroughly understood than that of the nearby desert and coastal regions. Prior to the ESRP cultural resources studies, no comprehensive synthesis had been developed specifically for the interior valley and mountain localities of cismontane southern California that characterize the region.

Late Archaic Period (ca. 4000 to 1500 B.P.)

The Late Archaic period was a time of cultural intensification in Southern California. The beginning of the Late Archaic coincides with the Little Pluvial, a period of increased moisture in the region. Effective moisture continued to increase in the desert interior by approximately 3600 B.P. and lasted throughout most of the Late Archaic. This ameliorated climate allowed for more extensive occupation of the region. By approximately 2100 B.P., however, drying and warming increased, perhaps providing motivation for resource intensification. Archaeological site types that typify this time period include residential bases with large, diverse artifact assemblages, abundant faunal remains, and cultural features as well as temporary bases, temporary camps, and task-specific activity areas. In general, sites showing evidence of the most intensive use tend to be on range-front benches adjacent to permanent water sources, such as perennial springs or larger streams, while less intensively used locales occur either on upland benches or on the margins of active alluvial fans.

Data from Late Archaic component archaeological sites also suggest increased sedentism during this period, with a change to a semi-sedentary land-use and collection strategy. The profusion of features, and especially refuse deposits in Late Archaic components, suggests that seasonal encampments saw longer use and more frequent reuse than during the latter part of the preceding Middle Archaic period, with increasing moisture improving the conditions of southern California after ca. 3100 B.P. Drying and warming after ca. 2100 B.P. likely extracted a toll on expanding populations, influencing changes in

² PaleoWest. 2022. *Cultural Resource Assessment (CRA) for the Speedway Commerce Center II Specific Plan Project, San Bernardino County, California*.

resource procurement strategies, promoting economic diversification and resource intensification, and perhaps resulting in a permanent shift towards greater sedentism.

A technological innovation introduced during this period was the mortar and pestle, used for processing acorns and hard seeds, such as those derived from the mesquite pod. This correlates with a warming and drying trend that began around 2100 B.P., which appears to have resulted in resource intensification.

The subsistence base broadened during the Late Archaic period. The technological advancement of the mortar and pestle may indicate the use of acorns, an important storable subsistence resource. Hunting also presumably gained in importance. An abundance of broad, leaf-shaped blades and heavy, often stemmed or notched projectile points have been found in association with large numbers of terrestrial and aquatic mammal bones. Other characteristic features of this period include the appearance of bone and antler implements and the occasional use of asphaltum and steatite. Most chronological sequences for southern California recognize the introduction of the bow and arrow by 1500 B.P., marked by the appearance of small arrow points and arrow shaft straighteners.

Technologically, the artifact assemblage of this period was similar to that of the preceding Middle Archaic; new tools were added either as innovations or as “borrowed” cultural items. Diagnostic projectile points of this period are still fairly large (dart point size), but also include more refined notched (Elko), concave base (Humboldt), and small stemmed (Gypsum) forms. Late in the period, Rose Spring arrow points appeared in the archaeological record in the deserts, reflecting the spread of the bow and arrow technology from the Great Basin and the Colorado River region. This projectile point type was not found at the ESRP study area, and there is no evidence suggesting that the bow and arrow had come into use at this time in the inland regions of southern California.

Saratoga Springs Period (c.a. 1500 to 750 B.P.)

In the early years of this period, cultural trends were, in large part, a continuation of the developments begun during the end of the Late Archaic Period. These include an increasing adaptation to the arid environment in the deserts and an increase in trade relations.

It was indicated that there were four cultural spheres within the Mojave and Colorado deserts during the early part of this period, including a southern desert sphere influenced by Patayan (Hakatayan) cultures adjacent to the Colorado River. This southern cultural sphere includes the Colorado Desert and San Jacinto Mountains, but it is unclear whether this influence extended as far west as the Project site.

Lake Cahuilla is believed to have refilled the Coachella Valley around 1450 B.P. and was the focus of cultural activities such as exploitation of fish, waterfowl, and wetland resources during this period. Desert people, speaking Shoshonean languages, may have moved into southern California at this time, the so-called “Shoshonean Intrusion.” Brown and Buff Ware pottery first appeared on the lower Colorado River at about 1200 B.P. and started to diffuse across the California deserts by about 1100 B.P.

However, by about 1060 B.P., environmental conditions became notably warmer and drier. This period of intense drought, the Medieval Warm, extended throughout the Southwest, and led to the withdrawal of Native American populations from marginal desert areas. Human occupation of the Lake Perris and the

ESRP area declined during this time period, and what occupations were present seemed to have been tethered to springs and other sources of water. In inland San Diego County, a similar period of reduced activity or abandonment during this time has been noted. Saratoga Springs-style projectile points, a large triangular form associated with use of the bow and arrow, began to appear in the ESRP area at this time. However, the sparse assemblages found from this period obscure the exact timing of the transformation from dart and atlatl to bow and arrow.

Late Prehistoric Period (c.a. 750 to 400 B.P.)

The Medieval Warm extended into the Late Prehistoric Period, ending about 575 B.P. A period of lower temperatures and increased precipitation, known as the Little Ice Age, resulted in increased resource productivity in the inland region. Population increased in the region of the Project site during this wet interval. In the ESRP area, several small, but apparently semisedentary occupations, date to this time period. Cottonwood Triangular points began to appear in inland assemblages at this time, and Obsidian Butte obsidian became much more common.

By about 500 B.P., strong ethnic patterns developed among native populations in southern California. This may reflect accelerated cultural change brought about by increased efficiency in cultural adaptation and diffusion of technology from the central coastal region of California and the southern Great Basin.

During this period, Lake Cahuilla began to recede and the large Patayan populations occupying its shores began moving westward into areas such as Anza Borrego, Coyote Canyon, the Upper Coachella Valley, the Little San Bernardino Mountains, and the San Jacinto Plain. The final desiccation of Lake Cahuilla, which had occurred by approximately 400 B.P. (A.D. 1640), resulted in a population shift away from the lakebed into the Peninsular Ranges to the west, and the Colorado River regions to the east.

Protohistoric Period

The improved, dynamic conditions of the Little Ice Age continued throughout the Protohistoric period. Utilization of the bow and arrow promoted an increase in hunting efficiency while a renewed abundance of mortars and pestles indicates extensive exploitation of various hard nuts and berries. As a result of the increased resource utilization of the area, sedentism intensified with small, fully sedentary villages forming during the Protohistoric period. This is evidenced by sites containing deeper middens suggesting more permanent habitation. These would have been the villages, or rancherias, noted by the early nonnative explorers.

The cultural assemblage associated with the Protohistoric period included the introduction of locally manufactured ceramic vessels and ceramic smoking pipes, an abundance of imported Obsidian Butte obsidian, Cottonwood Triangular points, and Desert Side-notched points as well as the addition of European trade goods, such as glass trade beads, late in the period.

Historical Setting³

San Bernardino County

The earliest recorded historic-period use of the lands within the San Bernardino Valley began in the 1770s, following establishment of the Mission San Gabriel approximately 50 miles west of the Project site. Euro-American settlement in San Bernardino began in the early 1800s through the establishment of Politana and the Asistencia but was largely fostered by the establishment of a Mormon colony under the leadership of Amasa Lyman and Charles Rich. Brothers Lyman and Rich bought the San Bernardino Rancho from Jose and Maria Armenta Lugo in 1851. San Bernardino County was established on April 26, 1853 and ceded a portion of its territory to the formation of Riverside County in 1893. Two Mormon colonies were established on either side of the Santa Ana River. The Mormons who settled in the San Bernardino area raised livestock, planted crops, and established civic services such as a school and a post office. The majority of the Mormon settlers in San Bernardino returned to Salt Lake City; however, some remained. Agriculture and livestock continued to be the chief industries in San Bernardino County.

General agriculture and livestock raising pursuits were quickly overshadowed by the citrus industry in southern California beginning in the 1870s. The first orange trees in San Bernardino were planted by Anson Van Leuven in 1857. Citrus quickly became the largest industry in southern California, including growing, packing, and shipping. Other industries included cattle ranching, growing sugar beets, and viticulture and enology. The burgeoning citrus industry led to a population boom and spurred the development of transcontinental railroads.

Cities of Fontana and Rancho Cucamonga

Starting in the 1860s and 1870s, companies began to form across California with the intent of purchasing readily available land (much of it owned by railroad companies) to redevelop into land colonies. These land colonies were pivotal in the rapid development of regions across the West and specifically in San Bernardino County. The companies purchased the land, acquired water rights, established lots, and built infrastructure such as roads and water irrigation lines.

These land colonies were key to agricultural growth in the region. In 1881, George and William Chaffey purchased 6,200 acres of land in what is today considered Upland (west of the Project site) for the formation of the Ontario Colony. The land was ideal for growing oranges. Concurrently, the Semi-Tropic Land and Water Company was formed. The company purchased 28,000 acres and the water rights to Lytle Creek. The company laid out the townsites of Rosena (now known as Fontana), Rialto, Bloomington, and San Sevaire. The Semi-Tropic Land and Water Company, though ultimately unsuccessful in its attempts, initiated early residential and commercial development in San Bernardino County.

The Chaffey brothers' success in Ontario Colony was first realized east in Etiwanda. They purchased approximately 2,500 acres of land and water rights at the base of the San Gabriel Mountains in the vicinity of Day, Etiwanda, Deer, and San Sevaire creeks in 1882, and formed the Etiwanda Water Company and a land colony. The 2,500 acres were divided into 10-acre plots that were guaranteed water delivery once a month, and one share of stock in the water company per acre purchased. The water was diverted from

³ Ibid.

the Day and Etiwanda creeks through a wooden flume to a reservoir on the north end of the colony. From here, seven parallel lines of 7- to 10-inch pipe were laid to deliver water to small reservoirs constructed by the landowners. Another reservoir was located near the south end of the land colony to serve the town water supply line. The Chaffey brothers also installed a hydroelectric generator at the irrigation headworks to supply electricity to its landowners and installed a telephone line between Etiwanda and San Bernardino. This system of flumes and distribution pipes improved upon irrigation ditches that were already in the area, but much of the water in this arid region was lost through evaporation and seepage into the area's sandy soil. At this time, noted California historian Kevin Starr stated that the Chaffey's land, water, and electrical development in Etiwanda "was the most innovative agricultural colony in the Far West." Just the pipeline system alone set a standard for future irrigation development in Rancho Cucamonga.

The success of the Chaffey brothers propelled the growth of the region, and the success of their underground irrigation system was lauded across the state. In addition, concrete pipe was used as a model for future systems. The success of the Etiwanda system allowed for the success of the Ontario Colony, and it became the new standard for land development across the arid west. From this success came the establishment of the cities of Rancho Cucamonga and Fontana. The area which became Fontana incorporated in 1913. Its growth benefited from the earlier land colonies and the arrival of the Pacific Electric Railway. However, Fontana's real growth came in 1942 with the construction of the Henry J. Kaiser Steel Mill, which quickly transformed the small agricultural hamlet to an industrial town. The steel mill and surrounding support business remained the top employer in the City from 1942 until the mill ceased operation in 1984.

Rancho Cucamonga's growth began in earnest following completion of the Pacific Electric Railway line in 1913. Across California, interurban rail networks had followed the success of the transcontinental railway systems. These smaller, more localized networks connected rural areas with larger metropolitan hubs resulting in development of bedroom communities and suburbs. Rancho Cucamonga followed this trajectory and by 1913 had enveloped much of Etiwanda. The small, largely rural town benefited from the early land colony success and had paved streets and electric streetlights, outpacing many other communities in the area. Growth continued steadily through World War II as wartime industries and post-war growth resulted in a massive expansion across southern California. In 1977, Rancho Cucamonga incorporated as a city.

Methodology

Records Search

At the time of this study, multiple sources, including a records search at the South-Central Coastal Information System (SCCIC) at California State University, Fullerton, were consulted to identify prior studies and previously recorded cultural resources within 0.5-mile of the Project site. PaleoWest staff also examined historical maps and aerial images to characterize the developmental history of the Project site and surrounding area.

The records search results indicate that since 1985, no fewer than 21 previous cultural resource investigations have been conducted within 0.5-mile of the Project site (see Table 4-1 of the CRA,

Appendix E). Six of these previous studies include portions of the current Project site. In total, approximately 70 percent of the Project site has been previously inventoried for cultural resources. The review of the record search data indicates that five cultural resources have been previously documented within 0.5-mile of the Project site: Kaiser Steel Mill, two single family residences, Levy House, and West Fontana Flood Control Channel (see Table 4-2 of the CRA, **Appendix E**). All of these resources date to the historic period and include four buildings and one structure. No prehistoric archaeological resources were identified within the record search area.

The Project site lies within the mapped boundary of one of these resources, the Kaiser Steel Mill (CA-SBR-4131H). The Kaiser Steel Mill was built in 1942 and was one of the largest steel production mills west of the Mississippi. Previous cultural resources studies completed within the vicinity of the Project site found that by 2008, all of the major components of the mill had been demolished and the resource was no longer extant. Other resources documented within the immediate vicinity of the Project include P-36-029538, the West Fontana Flood Control Channel, which lies along the northeastern boundary of the Project property.

Native American Heritage Commission Sacred Lands File Search

Please refer to **Section 4.18: Tribal Cultural Resources**, for information regarding the Native American Heritage Commission (NAHC) results.

Pedestrian Field Survey

A pedestrian field survey of the Project site was conducted August 31, 2021. During the survey, the archaeologist carefully inspected the ground surface for any areas of exposed native sediments or areas likely to contain or exhibit sensitive cultural resources. Results of the survey indicate that the Project site is fully developed with no undisturbed native ground surface identified. No cultural resources were identified as a result of the fieldwork effort. Although the Project area lies within the mapped boundary of the Kaiser Steel Mill, no evidence of the former mill was identified. Sediments across the Project site have been extensively disturbed by the construction and demolition of the mill and subsequent development of the ACS. As such, there is a low potential for encountering intact buried archaeological deposits in the Project area. Based on these results, PaleoWest recommends a finding of no impact to historical or archaeological resources under CEQA. No additional cultural resource management is recommended for the proposed Project. Furthermore, although, early Native American monitoring is encouraged per County Policy CR-1.4, it is not required, and due to overlapping tribal territories, early monitoring was not sought for the pedestrian field survey.

Existing Cultural Resources

The CRA identified no archaeological or historical built environment resources that would be impacted by the Project. Information compiled on previously recorded cultural resources indicates that the Project lies within the mapped boundary of the historical Kaiser Steel Mill (CA-SBR-4131H). However, no evidence of the resource was identified within the Project site during pedestrian survey and archival information suggests that this portion of the steel mill property was primarily used for steel production. Previous cultural resources studies conducted within the Project vicinity indicate that the major components of the

mill, which lie south and east of the Project site, have been demolished and the resource is no longer extant. Archival information also suggests that the Metropolitan Water District's Upper Feeder Aqueduct was constructed through the southern portion of the Project site in the 1930s. The Project is not anticipated to impact the buried historic-era water pipeline.

Although the presence of creeks and washes within the Project vicinity suggests the area may have been attractive to prehistoric groups both as a source of water and resource procurement area, the lack of identified prehistoric resources suggests the Project site is not highly sensitive to prehistoric archaeological remains. Furthermore, because the Project site was primarily used for agricultural purposes, it is unlikely to contain significant historic period archaeological deposits.

4.5.3 Regulatory Setting

Federal

National Historic Preservation Act of 1966

Enacted in 1966 and amended in 2000, the National Historic Preservation Act (NHPA) declared a national policy of historic preservation and instituted a multifaceted program, administered by the Secretary of the Interior, to encourage the achievement of preservation goals at the federal, state, and local levels. The NHPA authorized the expansion and maintenance of the National Register of Historic Places (NRHP), established the position of State Historic Preservation Officer (SHPO), provided for the designation of State Review Boards, set up a mechanism to certify local governments to carry out the purposes of the NHPA, assisted Native American tribes to preserve their cultural heritage, and created the Advisory Council on Historic Preservation (ACHP).

Natural Register of Historic Places

The NRHP was established by the NHPA of 1966, as "an authoritative guide to be used by federal, state, and local governments, private groups and citizens to identify the Nation's historic resources and to indicate what properties should be considered for protection from destruction or impairment" (Code of Federal Regulations [CFR] 36 § 60.2). The NRHP recognizes both historical-period and prehistoric archaeological properties that are significant at the national, state, and local levels.

To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must meet one or more of the following four established criteria:

1. Are associated with events that have made a significant contribution to the broad patterns of our history;
2. Are associated with the lives of persons significant in our past;
3. Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. Have yielded, or may be likely to yield, information important in prehistory or history.

Unless the property possesses exceptional significance, it must be at least 50 years old to be eligible for listing in the NRHP. In addition to meeting the criteria of significance, a property must have integrity. Integrity is defined as “the ability of a property to convey its significance.” The NRHP recognizes seven qualities that, in various combinations, define integrity: location, design, setting, materials, workmanship, feeling, and association. To retain historic integrity a property must possess several, and usually most, of these seven aspects. Thus, the retention of the specific aspects of integrity is paramount for a property to convey its significance.

Section 106 of the National Historic Protection Act

It is unlikely that the Project would be subject to the federal permitting processes under “§ 106 review,” as no federal action or approval is anticipated. Under § 106 of the NHPA, federal agencies are required to consider the effects of their actions on places that are listed in, or eligible for listing in, the NRHP.

National Register Bulletin 38

The National Park Service (NPS) has prepared guidelines to assist in the documentation of Traditional Cultural Properties (TCPs) by public entities. While it is federal guidance, it serves as the best and most recognized guidance for identifying TCPs. National Register Bulletin (NRB) 38 is intended to aid in determining whether properties have traditional cultural significance and if they are eligible for inclusion in the NRHP. It is also intended to assist federal agencies, SHPO, Certified Local Governments, tribes, and other historic preservation practitioners who need to evaluate such properties when considering their eligibility for the NRHP as part of the review process prescribed by the ACHP.

Archaeological Resources Protection Act

The purpose of the Archaeological Resources Protection Act of 1979 (ARPA) (16 U.S. Code [USC] § 470aa et. seq.) is to ensure preservation and protection of archaeological resources on public and Native American lands. ARPA places primary emphasis on a Federal permitting process in order to control the disturbance and investigation of archaeological sites on these lands. In addition, ARPA's protective provisions are enforced by civil penalties for violation of the Act.

Under this regulation, the term “archaeological resources” includes but is not limited to: pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal materials, or any portion or piece of any of the foregoing items. Non-fossilized and fossilized paleontological specimens, or any portion or piece thereof, shall not be considered archaeological resources, under the regulations under this paragraph, unless found in an archaeological context. No item shall be treated as an archaeological resource under regulations under this paragraph unless such item is at least 100 years of age.

ARPA mandates consultation procedures before initiation of archaeological research on Native American lands or involving Native American archaeological resources. 16 USC § 470cc(c) requires Native American tribes be notified of possible harm to, or destruction of, sites having religious or cultural significance to that group. The federal land manager must notify affected tribes before issuing the permit for archaeological work. 16 USC § 470cc(g)(2) specifies that permits to excavate or remove archaeological resources from Indian lands require consent of the Native American or Native American tribe owning or

having jurisdiction over such lands. The permit, it is also stipulated, must include such terms and conditions as may be requested by the affected Native Americans.

Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act (NAGPRA) is a federal law passed in 1990 that mandates museums and federal agencies to return certain Native American cultural items — such as human remains, funerary objects, sacred objects, or objects of cultural patrimony — to lineal descendants or culturally affiliated Indian tribes.

State

California Public Resources Code

Archaeological and historical sites are protected under a wide variety of state policies and regulations in the California PRC. In addition, cultural resources are recognized as nonrenewable resources and receive protection under the PRC and CEQA.

PRC §§ 5020 to 5029.5 continued the former Historical Landmarks Advisory Committee as the State Historical Resources Commission (SHRC). The commission oversees the administration of the California Register of Historical Resources (CRHR) and is responsible for designating State Historical Landmarks and Historical Points of Interest.

PRC §§ 5079 to 5079.65 define the functions and duties of the Office of Historic Preservation (OHP), which administers federal- and state-mandated historic preservation programs in California as well as the California Heritage Fund.

PRC §§ 5097.9 to 5097.991 provide protection to Native American historical and cultural resources and sacred sites; identify the powers and duties of the NAHC; require that descendants be notified when Native American human remains are discovered; and provide for treatment and disposition of human remains and associated grave goods.

Two additional state laws pertaining to tribal cultural resources — Senate Bill 18 and Assembly Bill 52 — are described in **Section 4.18: Tribal Cultural Resources**, of this EIR.

California Register of Historical Resources

Created in 1992 and implemented in 1998, the CRHR is “an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change.” (PRC § 5024.1). Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks (CHL) numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest (PHI) program, identified as significant in historical resources surveys, or designated by local landmarks programs, may be nominated for inclusion in the CRHR. A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the SHRC determines that it meets any of the following criteria, which are modeled on NRHP criteria:

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

Under PRC § 5024.1 and 14 California Code of Regulations [CCR] § 4852(c), a cultural resource must retain integrity to be considered eligible for the CRHR. Specifically, it must retain sufficient character or appearance to be recognizable as a historical resource and convey reasons of significance. Integrity is evaluated with regard to retention of such factors as location, design, setting, materials, workmanship, feeling, and association.

Typically, a prehistoric archaeological site in California is eligible for listing in the CRHR based on its potential to yield information important in prehistory or history (Criterion 4). Important information includes chronological markers such as projectile point styles or obsidian artifacts that can be subjected to dating methods or undisturbed deposits that retain their stratigraphic integrity. Sites such as these have the ability to address research questions.

California Points of Historical Interest

California PHI are sites, buildings, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. PHI designated after December 1997 and recommended by the SHRC are also listed in the CRHR. No historic resource may be designated as both a landmark and a point. If a point is later granted status as a landmark, the point designation is retired. In practice, the point designation program is most often used in localities that do not have a locally enacted cultural heritage or preservation ordinance.

To be eligible for designation as a PHI, a resource must meet at least one of the following criteria: (1) it is the first, last, only, or most significant of its type within the local geographic region (city or county); (2) it is associated with an individual or group having a profound influence on the history of the local area; or (3) it is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in the local region of a pioneer architect, designer, or master builder.

California Environmental Quality Act

CEQA requires public agencies to assess a project's impact on cultural resources. The first step in the process is to identify cultural resources that may be impacted by the project and then determine whether the resources are "historically significant" resources.

CEQA defines historically significant resources as "resources listed or eligible for listing in the California Register of Historical Resources" (PRC § 5024.1). A cultural resource may be considered historically

significant if the resource is 45 years old or older and possesses integrity of location, design, setting, materials, workmanship, feeling, and association.

In addition, it must meet any of the following criteria for listing on the CRHR:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or,
4. Has yielded, or may be likely to yield, information important in prehistory or history. (PRC § 5024.1).

Cultural resources are buildings, sites, humanly modified landscapes, traditional cultural properties, structures, or objects that may have historical, architectural, cultural, or scientific importance. A resource can also be determined historically significant under CEQA by virtue of being included in a local register of historical resources regardless of CRHR eligibility (see Title 14 CCR § 15064.5(a)(2)). CEQA states that if a project will have a significant impact on important cultural resources, deemed "historically significant," then project alternatives and mitigation measures must be considered. Additionally, the OHP may choose to comment on the CEQA compliance process for specific local government projects in an informal capacity but does not seek to review all projects that may affect historically significant cultural resources under CEQA provisions.

Health and Safety Code, Sections 7050.5 and 7052

State Health and Safety Code (HSC), § 7050.5, declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbance must cease, and the county coroner must be notified. HSC § 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

More precisely, if human remains are encountered, HSC § 7050.5 states that:

- a. "Every person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor, except as provided in § 5097.99 of the [PRC]. The provisions of this subdivision shall not apply to any person carrying out an agreement developed pursuant to subdivision (l) of § 5097.94 of the [PRC] or to any person authorized to implement § 5097.98 of the [PRC].
- b. In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the [CGC], that the remains are not subject to the provisions of § 27491 of the [CGC] or any other related provisions of law concerning

investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in § 5097.98 of the [PRC]. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains.

- c. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.”

California Public Records Act

Sections 6254(r) and 6254.10 of the California Public Records Act (CGC § 6250 et seq.) were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to “Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects...maintained by, ..., the Native American Heritage Commission....” Section 6254.10 specifically exempts from disclosure requests for “records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the SHRC, the State Lands Commission, the NAHC, another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency.”

California Penal Code, Section 622.5

California Penal Code § 622.5, provides misdemeanor penalties for injuring or destroying objects of historic or archaeological interest located on public or private lands but specifically excludes the landowner.

California Native American Graves Protection and Repatriation Act: Health & Safety Code, Sections 8010 et seq.

Enacted in 2001, the California Native American Graves Protection and Repatriation Act (California Repatriation Act), requires all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate Native American tribe(s).

Local

The Countywide Plan

Goals and policies from The Countywide Plan's Cultural Resources Element⁴ that pertain to the Project are as follows:

Goal CR-1 **Cultural Resources. Tribal cultural resources that are preserved and celebrated out of respect for Native American beliefs and traditions.**

Policy CR-1.1 **Tribal notification and coordination.** We notify and coordinate with tribal representatives in accordance with state and federal laws to strengthen our working relationship with area tribes, avoid inadvertent discoveries of Native American archaeological sites and burials, assist with the treatment and disposition of inadvertent discoveries, and explore options of avoidance of cultural resources early in the planning process.

Policy CR-1.3 **Mitigation and avoidance.** We consult with local tribes to establish appropriate project-specific mitigation measures and resource-specific treatment of potential cultural resources. We require project applicants to design projects to avoid known tribal cultural resources, whenever possible. If avoidance is not possible, we require appropriate mitigation to minimize project impacts on tribal cultural resources.

Policy CR-1.4 **Resource monitoring.** We encourage active participation by local tribes as monitors in surveys, testing, excavation, and grading phases of development projects with potential impacts on tribal resources.

Goal CR-2 **Historic and Paleontological Prehistoric Resources. Historic resources (buildings, structures, or archaeological resources) and paleontological resources that are protected and preserved for their cultural importance to local communities as well as their research and educational potential.**

Policy CR-2.3 **Paleontological and archaeological resources.** We strive to protect paleontological and archaeological resources from loss or destruction by requiring that new development include appropriate mitigation to preserve the quality and integrity of these resources. We require new development to avoid paleontological and archeological resources whenever possible. If avoidance is not possible, we require the salvage and preservation of paleontological and archeological resources.

4.5.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines, Appendix G has been used as significance criteria in this section. Accordingly, the Project may have a significant environmental impact if it would:

- Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5;

⁴ County of San Bernardino. 2020. *The Countywide Plan, Cultural Resources Element*. <http://countywideplan.com/policy-plan/beta/ch/> (accessed September 2021).

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

Methodology and Assumptions

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

Approach to Analysis

This analysis of impacts on cultural resources examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field observations made by PaleoWest personnel on August 31, 2021; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. A determination that any components of the Project may result in "substantial" adverse effects on historical and archaeological resources and human remains considers the existing site's historical resource value and the severity of the Project implementation on resources that may be considered historical.

4.5.5 Impacts and Mitigation Measures

Impact 4.5-1 *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

Level of Significance: No Impact

Construction

Construction of the Project would not cause a substantial adverse change in the significance of a historical or archaeological resource pursuant to CEQA Guidelines § 15064.5. As discussed under Methodology above, multiple sources, including a records search at the SCCIC at California State University, Fullerton, were consulted to identify prior studies and previously recorded cultural resources within 0.5-mile of the Project site. PaleoWest staff also examined historical maps and aerial images to characterize the developmental history of the Project site and surrounding area. The records search conducted by PaleoWest indicated that since 1985, no fewer than 21 previous cultural resource investigations have been conducted within 0.5-mile of the Project site. All of the identified resources, as follows: Kaiser Steel Mill, two single family residences, Levy House, and West Fontana Flood Control Channel. No prehistoric archaeological resources were identified within the record search area (Refer to Table 4-2 in the CRA,

Appendix E). All of these resources date to the historic period and include four buildings and one structure. No prehistoric archaeological resources were identified within the record search area. The Project site lies within the mapped boundary of one of these resources, the Kaiser Steel Mill (CA-SBR-4131H). The Kaiser Steel Mill was built in 1945 and was one of the largest steel production mills west of the Mississippi. Previous cultural resources studies completed within the vicinity of the Project site found that by 2008, all of the major components of the mill had been demolished and the resource no longer extant. In addition, no evidence of the resource was identified during the August 31, 2021 pedestrian survey and archival information suggests this portion of the steel mill property was primarily used for steel production. Archival information also determined that the Metropolitan Water District of Southern California's Upper Feeder Aqueduct was constructed through the Project area in the 1930s. Project implementation is not anticipated to impact the buried historic-era water pipeline and construction activities will not alter, demolish, or relocate the existing feature. The remaining resources do not appear to have been formally evaluated for listing on the CRHR or the NRHP.

Operations

Following completion of construction of the Project and disturbances of the site, the Project would include use for high-cube logistics, e-commerce, and commercial development. These land use operations would not impact any known or unknown historical resources. Therefore, operation of the Project would have no impact on historical cultural resources.

Because no historical resources were identified within in the Project site, implementation of the Project would not be expected to cause a substantial adverse change to an historic resource. Therefore, impacts on historical resources would not occur.

Mitigation Measures

No mitigation is required.

Impact 4.5-2 *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction

A significant impact would occur if grading and construction activities result in a substantial adverse change in the significance of a unique archaeological resource as defined in PRC § 21083.2 or state CEQA Guideline § 15064.5, if (1) a resource listed in or determined to be eligible by the SHRC, for listing in the CRHR (PRC § 5024.1 and Title 14 CCR, § 4850 et seq.) is adversely affected; and (2) if grading and construction activities would result in a substantial adverse change in the significance of an archaeological resource determined to be "historic" or "unique." As defined in PRC § 21083.2, a "unique" archaeological resource is an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

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

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

Refer to Impact 4.5-1 for discussion regarding the presence of archeological resources. The lack of identified prehistoric archaeological resources suggests the Project site is not highly sensitive to prehistoric archaeological remains. Further, because the Project site was primarily used for agricultural and industrial purposes, it is unlikely to contain significant historic period archaeological deposits.

Operations

Impacts associated with operation of the Project would be the same as discussed in Impact 4.5-1, above. Following completion of construction of the Project and disturbances of the site, the Project would include use for high-cube logistics, e-commerce, and commercial facilities. These land use operations would not impact any known or unknown archaeological resources. Therefore, operation of the Project would have no impact on archaeological cultural resources.

Based on these findings, no further cultural resources management is recommended for construction and operation of the Project. However, in the event that a potentially significant archaeological resource is encountered during Project-related ground-disturbing activities, **Mitigation Measure (MM) CUL-1** would apply to further minimize potential impacts to archaeological resources. Therefore, with implementation of **MM CUL-1**, impacts regarding a substantial adverse change of an archaeological resource would be less than significant.

Mitigation Measures

MM CUL-1 If archaeological resources are exposed during construction of the Project, all ground disturbing activities within 50 feet of the potential resource(s) shall be suspended. A qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, shall evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery, may be warranted and shall be submitted to the Development Services Director or his/her designee. If the resource(s) are determined to be Native American in origin, the Project archaeologist shall notify the appropriate Native American Tribe(s) from a list provided by the County.

Impact 4.5-3 *Would the project disturb any human remains, including those interred outside of dedicated cemeteries?*

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction

The Project site is located in an area mainly developed with industrial and motorsports/entertainment uses and is not located near a formal cemetery. The Project site was previously used primarily for agricultural and industrial uses pertaining to steel production mills. By 2008, all remnants of the steel plant facility within the Project site were demolished and an auto racetrack with associated support facilities was constructed in its place. If human remains are discovered, however, those remains would require proper treatment in accordance with applicable laws, including HSC §§ 7050.5-7055 and PRC § 5097.98 and § 5097.99. HSC §§ 7050.5-7055 describe the general provisions for treatment of human remains. Specifically, HSC § 7050.5 prescribes the requirements for the treatment of any human remains that are accidentally discovered during excavation of a site. HSC § 7050.5 also requires that all activities cease immediately, and a qualified archaeologist and Native American monitor be contacted immediately. As required by state law, the procedures set forth in PRC § 5087.98 would be implemented, including evaluation by the County Coroner and notification of the NAHC. The NAHC would then designate the Most Likely Descendant of the unearthed human remains.

It is unlikely that any human remains would be encountered given that the Project site is already disturbed. However, previously undiscovered human remains could be encountered during construction activities. If human remains are found during excavation, excavation would be halted in the vicinity of the find and any area that is reasonably suspected to overlay adjacent remains shall remain undisturbed until the County Coroner has investigated, and appropriate recommendations have been made for the treatment and disposition of the remains. Following compliance with the established regulatory framework (i.e., HSC §§ 7050.5-7055 and PRC §§ 5097.98 and 5097.99) and the application of **MM TCR-4**, the Project's impacts concerning potential to disturb human remains, would be reduced to a less than significant.

Operations

Operation of the Project would not impact human remains or cause a substantial adverse effect to undiscovered human remains. No impacts would occur.

Mitigation Measures

Refer to **MM TRC-4** in Section 4.18 Tribal Cultural Resources.

4.5.6 Cumulative Impacts

For purposes of cumulative Cultural impacts analysis, cumulative impacts are considered in connection with the anticipated future development projects; see **Table 4-1: Cumulative Projects List**. Future cumulative development projects could encounter or impact cultural resources. The analysis is focused on the Project's potential for resulting in site-specific impact that could contribute to a cumulative loss. Impacts are site-specific and not generally subject to cumulative impacts unless multiple projects impact

a common resource, or an affected resource extends off-site across the locations of multiple projects, such as a historic townsite or district. With this consideration, the cumulative analyses for cultural resources considers whether the Project, in combination with the past, present, and reasonably foreseeable projects, could cumulatively affect any common cultural resources. Projects located in an archaeologically sensitive area are required to conduct archaeological monitoring during construction, which would reduce cumulative impacts to a less-than-significant level. In addition, **MM CUL-1** would apply to the Project, ensuring that its contribution to cumulative impacts would not be considerable.

As discussed above, while no archaeological resources are expected on the Project site, the potential exists for undiscovered archaeological resources to be adversely impacted during Project construction. With implementation of **MM CUL-1**, Project construction would not cause a substantial adverse change in the significance of archaeological resources; a less than significant impact would occur.

Implementation of future projects in the Project vicinity could involve actions that could damage historical and archaeological resources specific to those Project sites. However, all projects would be subject to CEQA review, including studies of historical and archaeological resources that are present or could be present on-site. Where significant or potentially significant impacts are identified, implementation of all feasible mitigation would be required to reduce potentially significant impacts. As with the Project, all cumulative development in the area would undergo environmental and design review on a project-by-project basis pursuant to CEQA, in order to evaluate potential impacts to cultural resources and avoid or reduce any impacts.

As discussed previously, results of the records search, assessment of historical imagery, and the pedestrian survey indicated the Project site and area have a low archaeological sensitivity. While historical data confirmed the presence of the Kaiser Steel Mill, previous cultural resources studies completed within the vicinity of the Project site found that by 2008, all of the major components of the mill had been demolished and the resource no longer existed. Further, Project implementation would not be anticipated to impact the buried historic-era water pipeline, associated with the Metropolitan Water District's Upper Feeder Aqueduct. Therefore, the Project would not considerably contribute to cumulative impacts to historical resources.

As discussed above, Project-level impacts to human remains would be less than significant. Standard regulatory requirements and procedures will also apply to other present and reasonably foreseeable future projects, and cumulative impacts would be less than significant.

4.5.7 Significant Unavoidable Impacts

No significant and unavoidable impacts concerning cultural resources have been identified.

4.5.8 References

County of San Bernardino. 2020. *The Countywide Plan, Cultural Resources Element*.

<http://countywideplan.com/policy-plan/beta/ch/>.

PaleoWest. 2022. *Cultural Resource Assessment for The Speedway Commerce Center II Specific Plan Project, San Bernardino County, California*.

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4.6 ENERGY

4.6.1 Introduction

This section of the EIR examines the existing environmental setting as it relates to energy consumption and conservation, identifies associated regulatory conditions and requirements, and presents the criteria used to evaluate potential impacts related to use of fuel and energy upon implementation of the Project. The information and analysis herein rely on the following document of the Project site found in **Appendix F** of this EIR:

- Kimley-Horn and Associates (2022). *Energy Assessment for the Speedway Commerce Center II Specific Plan Project*.

4.6.2 Environmental Setting

Existing Electricity and Natural Gas Supplies

Electricity

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

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

Electrical services are provided to the area by Southern California Edison (SCE). SCE provides electricity to approximately 15 million people, 180 incorporated cities, 15 counties, 5,000 large businesses, and 280,000 small businesses throughout its 50,000-square-mile service area.¹ SCE produces and purchases their energy from a mix of conventional and renewable generating sources. **Table 4.6-1: Energy Resources Used to Generate Electricity for SCE** shows the SCE electric power mix in 2020 compared to the statewide 2020 power mix. In 2020, electricity use attributable to the County of San Bernardino was approximately 14,987 GWh from residential and non-residential sectors.²

¹ SCE. 2021. *By the Numbers: Who We Serve*. <https://www.sce.com/about-us/who-we-are> (accessed January 2022).

² California Energy Commission (CEC). 2020. *Electricity Consumption by County*. <http://ecdms.energy.ca.gov/electbycounty.aspx> (accessed January 2022).

Table 4.6-1: Energy Resources Used to Generate Electricity for SCE (2020)

Energy Resources	2020 SCE Power Mix	2020 CA Power Mix
Eligible Renewable:	30.9%:	33.1%:
Biomass and Biowaste	0.1%	2.5%
Geothermal	5.5%	4.9%
Eligible Hydroelectric	0.8%	1.4%
Solar	15.1%	13.2%
Wind	9.4%	11.1%
Coal	0%	2.7%
Large Hydroelectric	3.3%	12.2%
Natural Gas	15.2%	37.1%
Nuclear	8.4%	9.3%
Other	0.3%	0.2%
Unspecified Sources of Power ¹	42.0%	5.4%
Total	100%	100%

¹Electricity from transactions that are not traceable to specific generation sources.
Source: SCE. 2020. *2020 Power Content Label, Southern California Edison*.
https://www.sce.com/sites/default/files/inline-files/SCE_2020PowerContentLabel.pdf (accessed January 2022).

Natural Gas

The Southern California Gas Company (SoCalGas), the service provider for the Project area, services approximately 21 million people in a 20,000-square mile service territory. SoCalGas has four storage fields; Aliso Canyon, Honor Rancho, La Goleta, and Playa del Rey, as well as a combined storage capacity of approximately 134 billion cubic feet. According to the CEC, natural gas demand in the SoCalGas service area was 547 million therms in 2019.³

SoCalGas projects that total demand for natural gas will decline at an annual rate of 1.0 percent each year through 2035.⁴ The decline in demand is due to reduced gas demand in the major market segment areas of residential, electric generation (EG), commercial, and industrial; aggressive energy efficiency programs; and statewide efforts to minimize greenhouse gas emissions.

Energy Use

Energy use is typically quantified using the British Thermal Unit (BTU). Total energy use in California was 7,802 trillion BTU in 2019⁵ (the most recent year for which this specific data is available), which equates to an average of approximately 198 million BTU per capita. Of California's total energy use, the breakdown by sector is approximately 10.8 percent transportation, 5.5 percent industrial, 8.2 percent commercial, and 6.9 percent residential. Electricity and natural gas in California are generally used by stationary

³ California Energy Commission (CEC). 2020. *Gas Consumption by Southern California Gas*. <http://ecdms.energy.ca.gov/gasbycounty.aspx> (accessed January 2022).

⁴ California Gas and Electric Utilities. 2020. *2020 California Gas Report* https://www.socalgas.com/sites/default/files/2020-10/2020_California_Gas_Report_Joint_Utility_Biennial_Comprehensive_Filing.pdf (accessed January 2022).

⁵ US Energy Information Administration. 2021. *California Energy Consumption Estimates*. <https://www.eia.gov/state/print.php?sid=CA> (accessed January 2022).

sources such as residences, commercial sites, and industrial facilities, whereas petroleum use is generally accounted for by transportation-related energy use. In 2020, taxable gasoline sales (including aviation gasoline) in California accounted for 14,008,219,800 gallons of gasoline.⁶

4.6.3 Regulatory Setting

Federal

Energy Independence and Security Act of 2007

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

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

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

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

State

Assembly Bill 32 and Senate Bill 32

California's major initiative for reducing GHG emissions is outlined in AB 32, the "California Global Warming Solutions Act of 2006." AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels; the same requirement as under S-3-05) and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to

⁶ California Department of Tax and Fee Administration (CDTFA). 2020. *Net Taxable Gasoline Gallons*. <https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm> (accessed January 2022).

require reporting and verification of statewide GHG emissions. Reductions in overall energy consumption have been implemented to reduce emissions. See **Section 4.8: Greenhouse Gas Emissions** for a further discussion of AB 32.

In September 2016, the Governor signed into legislation SB 32, which builds on AB 32 and requires the state to cut GHG emissions to 40 percent below 1990 levels by 2030. With SB 32, the Legislature also passed AB 197, which provides additional direction for updating the Scoping Plan to meet the 2030 GHG reduction target codified in SB 32. CARB has published a draft update to the Scoping Plan and has received public comments on this draft but has not released the final version.

Additional energy efficiency measures beyond the current regulations are needed to meet these goals as well as the AB 32 greenhouse gas (GHG) reduction goal of reducing statewide GHG emissions to 1990 levels by 2020 and the SB 32 goal of 40 percent below 1990 levels by 2030 (see **Section 4.8: Greenhouse Gas Emissions**, for a discussion of AB 32 and SB 32). Part of the effort in meeting California's long-term reduction goals include reducing petroleum use in cars and trucks by 50 percent, increasing from one-third to more than one-half of California's electricity derived from renewable sources, doubling the efficiency savings achieved at existing buildings and making heating fuels cleaner; reducing the release of methane, black carbon, and other short-lived climate pollutants, and managing farm and rangelands, forests, and wetlands so they can store carbon.

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

The California Energy Code (Title 24, Part 6) was created as part of the California Building Standards Code (Title 24 of the California Code of Regulations [CCR]) by the California Building Standards Commission in 1978 to establish statewide building energy efficiency standards to reduce California's energy use. These standards include provisions applicable to all buildings, residential and non-residential, which describe requirements for documentation and certificates that the building meets the standards.⁷ These provisions include mandatory requirements for efficiency and design of the following types of systems, equipment, and appliances:

- Air Conditioning Systems
- Heat Pumps
- Water Chillers
- Gas- and Oil-Fired Boilers
- Cooling Equipment
- Water Heaters and Equipment
- Pool and Spa Heaters and Equipment
- Gas-Fired Equipment Including Furnaces and Stoves/Ovens

⁷ CEC. 2020. *2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings*. <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency> (accessed January 2022).

- Windows and Exterior Doors
- Joints and Other Building Structure Openings (envelope)
- Insulation and Cool Roofs
- Lighting Control Devices

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

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

California's Building Energy Efficiency Standards (CBEES) are updated on an approximately three-year cycle as technology and methods evolve. As a result of new law under Assembly Bill (AB) 970, passed in the fall of 2000 in response to the State's electricity crisis, an emergency update of the standards went into effect in June 2001. The CEC then initiated an immediate follow-on proceeding to consider and adopt updated standards that could not be completed during the emergency proceeding. The 2013 Standards went into effect July 1, 2014. The 2016 CBEES went into effect on January 1, 2017 and improve upon the 2013 CBEES for new construction of, and additions and alterations to, residential and non-residential buildings. The 2019 CBEES were adopted on May 9, 2018 and took effect on January 1, 2020 (for building permit applications submitted on or after that date). The 2019 standards require solar photovoltaic systems for new homes; establish requirements for newly constructed healthcare facilities; encourage demand-responsive technologies and improving the thermal envelope of residential structures; update indoor and outdoor lighting making maximum use of LED technology in non-residential buildings; and enable the use of highly efficient air filters to trap hazardous particulates and improve kitchen ventilation systems in residential and non-residential buildings.⁸ The Project would be constructed in compliance with

⁸ CEC, Efficiency Division. 2018. 2019 Building Energy Efficiency Standards Frequently Asked Questions. https://www.energy.ca.gov/sites/default/files/2020-03/Title_24_2019_Building_Standards_FAQ_ada.pdf (accessed January 2022).

the CBEES that are current at the time of construction. Under the 2019 standards, homes will use about 53 percent less energy and non-residential buildings will use about 30 percent less energy than buildings under the 2016 standards. The CBEES updates focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings, and include requirements that will enable both demand reductions during critical peak periods and future solar electric and thermal system installations.

On August 11, 2021, the CEC adopted the 2022 Energy Code. In December, it was approved by the California Building Standards Commission for inclusion into the California Building Standards Code. Among other updates like strengthened ventilation standards for gas cooking appliances, the 2022 Energy Code includes updated standards in three major areas:

- New electric heat pump requirements for residential uses, schools, offices, banks, libraries, retail, and grocery stores.
- The promotion of electric-ready requirements for new homes including the addition of circuitry for electric appliances, battery storage panels, and dedicated infrastructure to allow for the conversion from natural gas to electricity.
- The expansion of solar photovoltaic and battery storage standards to additional land uses including high-rise multifamily residences, hotels and motels, tenant spaces, offices, (including medical offices and clinics), retail and grocery stores, restaurants, schools, and civic uses (including theaters auditoriums, and convention centers)
- Projects whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code.⁹

California Green Building Standards

The California Green Building Standards Code (CCR, Title 24, Part 11), commonly referred to as the CALGreen Code, is a statewide mandatory construction code that was developed and adopted by the California Building Standards Commission and the California Department of Housing and Community Development. CALGreen standards require new residential and commercial buildings to comply with mandatory measures under five topical areas: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt which encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code was published in July 2019 and took effect January 1, 2020.¹⁰ The CEC has approved the 2022 California Green Building Standards Code and it is anticipated to take effect January 1, 2023.

⁹ California Energy Commission. 2022. *2022 Building Energy Efficiency Standards*, <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency> (accessed May 2022).

¹⁰ International Code Council (ICC). 2019. *2019 California Green Building Standards Code, Title 24, Part 11*. <https://codes.iccsafe.org/content/AGBC2019JUL21S/title-page> (accessed January 2022).

2008 California Energy Action Plan Update

The 2008 Energy Action Plan Update provides a status update to the 2005 Energy Action Plan II, which is the State of California's principal energy planning and policy document (CPUC and CEC, 2008). The plan continues the goals of the original Energy Action Plan, describes a coordinated implementation plan for State energy policies, and identifies specific action areas to ensure that California's energy is adequate, affordable, technologically advanced, and environmentally sound. First-priority actions to address California's increasing energy demands are energy efficiency, demand response (i.e., reduction of customer energy usage during peak periods in order to address system reliability and support the best use of energy infrastructure), and the use of renewable sources of power. If these actions are unable to satisfy the increasing energy and capacity needs, the plan supports clean and efficient fossil-fired generation.

2006 Appliance Efficiency Regulations

The California Energy Commission adopted Appliance Efficiency Regulations (Title 20, California Code of Regulations §§1601 through 1608) on October 11, 2006. The regulations were approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally regulated appliances and non-federally regulated appliances. While these regulations are now often viewed as "business-as-usual," they exceed the standards imposed by all other states and they reduce GHG emissions by reducing energy demand.

Renewable Portfolio Standard: Senate Bill 1078 and 107; Executive Order S-14-08, S-21-09, and SB 2X

SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010. In November 2008, the Governor signed Executive Order S-14-08, which expands the State's Renewable Portfolio Standard to 33 percent renewable power by 2020.

In September 2009, The Governor continued California's commitment to the Renewable Portfolio Standard by signing Executive Order S-21-09, which directs the CARB under its AB 32 authority to enact regulations to help the State meet its Renewable Portfolio Standard goal of 33 percent renewable energy by 2020. In addition, CARB is to design emissions reduction measures, adopt regulations requiring the reporting and verification of greenhouse gas emissions, including accounting for greenhouse gas emissions from all electricity consumed in the state, and develop emissions reduction measures, including limits on emissions of greenhouse gases applied to electricity and natural gas providers serving customers in California by 2020.

In April 2011, the Governor signed SB 2X, which legislated the prior Executive Order S-14-08 renewable standard, which required California energy providers to buy 33 percent of their energy from clean, renewable energy sources by 2020.

Executive Order B-30-15, Senate Bill 350, and Senate Bill 100

In April 2015, the Governor issued Executive Order B-30-15, which established a GHG reduction target of 40 percent below 1990 levels by 2030. SB 350 (Chapter 547, Statutes of 2015) advanced these goals through two measures. First, the law increases the renewable power goal from 33 percent renewables by 2020 to 50 percent by 2030. Second, the law requires the CEC to establish annual targets to double energy efficiency in buildings by 2030. The law also requires the California Public Utilities Commission (CPUC) to direct electric utilities to establish annual efficiency targets and implement demand-reduction measures to achieve this goal. In 2018, SB 100 revised the goal of the program to achieve the 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Appendix F to CEQA Guidelines

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

Pursuant to Appendix F, an EIR must include a “discussion of the potential energy impacts of proposed projects....”¹¹ However, because lead agencies have not consistently included such analysis in their EIRs, California's Natural Resources Agency amended Appendix F to the State CEQA Guidelines in 2009 “to ensure that lead agencies comply with the substantive directive in §21100(b)(3).” CEQA Guidelines Appendix F lists environmental impacts and mitigation measures that an EIR may include. What is required is a “discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.” Potential impacts that may be discussed include:

- A project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of a project including construction, operation, maintenance, or removal. If appropriate, the energy intensiveness of materials may be discussed.
- The effects of a project on local and regional energy supplies and on requirements for additional capacity.

¹¹ California Association of Environmental Professionals (AEP). 2020. *California Environmental Quality Act, Appendix F Energy Conservation*. https://www.califaep.org/docs/CEQA_Handbook_2021.pdf/ (accessed January 2022).

- The effects of a project on peak and base period demands for electricity and other forms of energy.
- The degree to which a project complies with existing energy standards.
- The effects of a project on energy resources.
- A project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

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

Executive Order B-55-18 to Achieve Carbon Neutrality

Executive Order (EO) B-55-18 established a new statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. The EO requires the California Air Resources Board (CARB) to work with relevant State agencies to develop a framework for implementation and accounting that tracks the progress toward this goal. CARB will also be required to work with relevant State agencies to ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal.¹² Carbon neutrality, or having a net zero carbon footprint, refers to achieving net zero carbon dioxide emissions by balancing carbon emissions with carbon removal or simply eliminating carbon emissions altogether.

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

Signed into law on October 7, 2015, SB 350 implements the goals of Executive Order B-30-15. The objectives of SB 350 are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 45 percent by 2027) and to double the energy efficiency savings in electricity and natural gas end uses of retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

Complementing the Mobile Source Strategy and the state's push toward zero carbon electricity, SB 350 orders the California Public Utilities Commission (CPUC) to direct the six investor-owned electric utilities in the state to file Applications for programs that "accelerate widespread transportation electrification." These programs are required to reduce dependence on petroleum, increase the adoption of zero-emission vehicles, help meet air quality standards, and reduce GHG emissions. On January 11, 2018, CPUC approved the first transportation electrification applications under SB 350 from the three large investor-owned utilities. The decision approves 15 projects with combined budgets of \$42 million. In SCE territory, \$16 million was approved for projects that help expand residential and transit bus EV charging infrastructure, including in or adjacent to disadvantaged communities, as well as crane and heavy-duty vehicle electrification at the Port of Long Beach. In Pacific Gas and Electric (PG&E) and San Diego Gas and

¹² State of California. 2018. *Executive Order B-55-18 to Achieve Carbon Neutrality*. <https://www.ca.gov/archive/gov39/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf> (accessed January 2022).

Electric territories, projects are similar but also include electrification of delivery vehicles and commercial shuttle fleets, and demonstration projects for electrification of school buses and medium- or heavy-duty vehicles fleets.

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

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

SB 100 revises existing law to state that the goal of the California Renewables Portfolio Standard Program is to achieve 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. The bill would require that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt-hours of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024, 52 percent by December 31, 2027, and 60 percent by December 31, 2030.¹³

CARB Advanced Clean Truck Regulation

CARB adopted the Advanced Clean Truck Regulation in June 2020 requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. This rule directly addresses disproportionate risks and health and pollution burdens and puts California on the path for an all zero-emission short-haul drayage fleet in ports and railyards by 2035, and zero-emission “last-mile” delivery trucks and vans by 2040. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8. The regulation has two components including a manufacturer sales requirement, and a reporting requirement:

- Zero-Emission Truck Sales: Manufacturers who certify Class 2b through 8 chassis or complete vehicles with combustion engines are required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales need to be 55 percent of Class 2b – 3 truck sales, 75 percent of Class 4 – 8 straight truck sales, and 40 percent of truck tractor sales.
- Company and Fleet Reporting: Large employers including retailers, manufacturers, brokers and others would be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, would be required to report about their existing fleet operations.

¹³ California Legislative Information (CLI). 2018. *Senate Bill No. 100*.
https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB100 (accessed January 2022).

This information would help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

Executive Order N-79-20

Signed in September 2020, Executive Order N-79-20 establishes as a goal that where feasible, all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035. The executive order sets a similar goal requiring that all medium and heavy-duty vehicles will be zero-emission by 2045 where feasible. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment “requiring increasing volumes” of new zero emission vehicles (ZEVs) “towards the target of 100 percent.” The executive order directs the California Environmental Protection Agency, the California Geologic Energy Management Division (CalGEM), and the California Natural Resources Agency to transition and repurpose oil production facilities with a goal toward meeting carbon neutrality by 2045. Executive Order N-79-20 builds upon the CARB Advanced Clean Trucks regulation, which was adopted by CARB in July 2020.

Local

County of San Bernardino Countywide Policy Plan

The County of San Bernardino developed and adopted the Countywide Policy Plan to include goals, policies, and actions that, when implemented, provide the vision and framework for the physical development of the County. The goals and policies identified below include conservation techniques to reduce energy use and minimize depletion of energy resources. The Renewable Energy and Conservation Element of the General Plan describes the conservation goals and policies that San Bernardino County has identified for implementation to guide renewable energy development in the County and provide a high quality of life for residents and the overall community.

Goal RE-1 **The County will pursue energy efficiency tools and conservation practices that optimize the benefits of renewable energy.**

Policy RE- 1.2 Optimize energy efficiency in the built environment.

- RE 1.2.2: Encourage property owners to participate in a PACE program for access to energy efficiency retrofit financing.
- RE 1.2.3: Encourage utilities to expand free to low-cost audit and retrofit programs in the built environments.
- RE 1.2.4: Work with utilities (Southern California Edison (SCE), Southern California Gas Company (SCG), etc.) to identify retrofit opportunities with short payback periods, such as variable-speed pool pumps, building air sealing, and attic insulation, for County use in conducting focused energy efficiency outreach.
- RE 1.2.5: Collaborate with community partners to promote the benefits of energy efficiency to County residents, businesses, and industries.

- RE 1.2.6: Encourage new development to comply with the optional energy efficiency measures of the CALGreen Code.
- RE 1.2.7: Encourage passive solar design in subdivision and design review processes.

Policy RE-1.4 Encourage residents and businesses to conserve energy.

- RE 1.4.1: Collaborate with utilities to support and learn from annual energy benchmarking reports that large energy users are conducting pursuant to AB 1103.

Goal RE-2: **The County will be home to diverse and innovative renewable energy systems that provide reliable and affordable energy to our unique Valley, Mountain, and Desert regions.**

Policy RE-2.4: Identify and prioritize programs that support cost-effective and universal access to renewable energy.

- RE 2.4.1: Expand outreach and education efforts through the County's online Community Development Toolkit on programs such as the availability of federal and state tax credits, participation in the a PACE program, and other mechanisms to reduce the cost of renewable energy facilities for on-site use on new and existing buildings.
- RE 2.4.2: Educate developers about the County's RE goals and policies, and encourage the inclusion of renewable energy facilities for on-site use in new developments.
- RE 2.4.4: Encourage installation of renewable energy systems on rental properties, multi-family buildings, and buildings with multiple commercial tenants by working with property developers and owners, using tools such as green leases, split incentive programs, and the California Solar Initiative's MASH program.

Policy RE-2.5: Support renewable energy systems that accelerate zero net energy (ZNE) through innovative design, construction, and operations of residences, businesses, and institutions that are grid-neutral and independent of centralized energy infrastructure.

- RE 2.5.1: Allow and encourage construction of new buildings designed to ZNE standards consistent with state programs.
- RE 2.5.4: Encourage energy independence and resiliency, including zero net energy and stand-alone systems not connected to the grid, in County economic development presentations and outreach efforts.

Policy RE-2.6: Encourage energy efficiency through appropriate renewable energy systems.

- RE 2.6.1: Pursue and consider development incentives such as density bonuses and streamlined permitting for projects that install accessory renewable energy facilities.

- RE 2.6.2: Allow developers of nonresidential properties to reduce required on-site parking spaces below minimum standards when space equivalent to the parking space reduction is devoted to renewable energy generation and storage facilities designed to serve on-site energy needs.
- RE 2.6.3: Encourage solar energy generation on rooftops and covered parking as the first priority for on-site energy generation.

Goal RE- 3: **Community-oriented renewable energy facilities will be prioritized to complement local values and support a high quality of life in unincorporated communities.**

Policy RE-3.1: Prioritize, facilitate, and encourage on-site accessory RE generation to serve the unincorporated county, with a primary focus on rooftop and parking lot solar energy generation.

- RE 3.1.1: Permit rooftop, parking lot, and similar accessory RE generation facilities that primarily serve on-site energy needs in all zoning districts, including microgrid systems, with minimal regulation and permitting requirements.

4.6.4 Impact Thresholds and Significance Criteria

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

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

Methodology

This section analyzes energy use on three sources of energy that are relevant to the proposed Project, including electricity, natural gas, and transportation fuel for vehicle trips associated with new development, as well as the fuel necessary for Project construction. The analysis of the Project's electricity and natural gas use is based on the California Emissions Estimator Model (CalEEMod), which quantifies energy use for occupancy. The results of CalEEMod are included in **Appendix A** (Air Quality Assessment) and **Appendix H** (Greenhouse Gas Assessment) of this EIR. Since the Project end-users are unknown, modeling related to Project energy use was based primarily on the default settings in CalEEMod associated with general land uses. The commercial and Industrial default energy use settings in CalEEMod are based on the CEC sponsored California Commercial End Use Survey and have been adjusted to account for changes due to Title 24 building codes. The amount of operational fuel use was estimated using CalEEMod outputs for the Project and CARB Emissions Factor (EMFAC) 2021 computer program for annual fuel use (both gasoline and diesel fuel) in San Bernardino County. Construction fuel was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry.

The Project site would consist of up to approximately 6.6 million square feet of high-cube logistics and e-commerce uses with 261,360 square feet of ancillary commercial uses, and approximately 98 acres of parking fields/drop lot areas as well as ancillary open space. However, for purposes of trip generation and

associated air quality analysis, a conservative approach was used in the trip generation which assumes 2,641,000 million square feet of high-cube logistics and 2,773,050 million square feet of e-commerce uses, for a total of 5,675,410 million sf of combined high-cube logistics and e-commerce uses. This scenario provides for the maximum number of trips and related air quality impacts that could be associated with the Project. For instance, if the Project were to develop with 6.6 million square feet of high-cube logistics uses only, the number of trips associated with the project would be less than if the project were to develop with the assumed 2,641,000 million square feet of high-cube logistics and 2,773,050 million square feet of e-commerce uses due to the higher intensity of trips generated with e-commerce uses. Potential tenants and end users are unknown at this time; therefore, the exact square footage allocation between high-cube logistics and e-commerce uses cannot be determined at the time this EIR was prepared. Therefore, future development of high-cube logistics and e-commerce uses within the Project site would occur in a combination that would not exceed the maximum number of vehicle trips analyzed within this EIR, which represents a conservative, worst-case scenario. For purposes of construction emissions modeling, the maximum potential development of approximately 6.6 million square feet building area was modeled to reflect the maximum square footage of building construction potential.

Project Design Features

The Master Developer proposes the following Project Design Features (PDFs) identified in **Section 4.3: Air Quality** that would be incorporated into the Project design and construction to reduce energy consumption.

- PDF AQ-1** If feasible, the Project shall provide electrical hookups to the power grid, rather than use diesel-fueled generators, for the use of electric construction tools, such as saws, drills, and compressors.
- PDF AQ-2** The construction plans and specifications shall prohibit off-road diesel-powered construction equipment from being in the “on” position for more than 10 hours per day during Project construction.
- PDF AQ-3** During Project construction, the Project contractors shall keep all equipment maintenance records and data sheets, including design specifications and emission control tier classifications, on-site or at the contractor’s office and shall furnish documents to the Lead Agency or other regulators, upon request.
- PDF AQ-4** Tenant lease agreements shall include contractual language restricting trucks and support equipment from idling longer than five minutes while on site.
- PDF AQ-5** The Master Developer and/or Site Developer, as applicable, shall provide information on transit and ridesharing programs and services to construction employees.
- PDF AQ-6** The Master Developer and/or Site Developer, as applicable, shall provide meal options on-site or shuttles between the construction site and nearby meal destinations for construction employees.
- PDF AQ-7** The tenant/facility operator shall post both interior and exterior facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions

and contact information to report violations to CARB, SCAQMD, and the building manager.

- PDF AQ-8** During operations, tenants/facility operators shall ensure that all heavy-duty vehicles (i.e., fleet equipment with a gross vehicle weight rating greater than 14,000 pounds) registered in California entering or operated on the Project site shall be model year 2010 emissions equivalent or later as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Tenants/facility operators shall maintain records on its fleet equipment and ensure that all heavy-duty trucks accessing the Project site use year 2010 or newer engines. The records shall be maintained on-site and be made available for inspection by the County. Encouraging the use of model year 2010 or newer trucks and other efficiency measures could incentivize near zero emission (NZE) or zero emission (ZE) truck visits, which would facilitate compliance with SCAQMD Rule 2305 (Warehouse Indirect Source Rule).
- PDF AQ-9** The tenant/facility operator shall require that all heavy-duty trucks entering or operated on the Project site to be zero-emission beginning in 2030, if such trucks are widely available and economically feasible.
- PDF AQ-10** The tenant/facility operator shall use zero-emission light- and medium-duty trucks as part of business operations, if such trucks are widely available and economically feasible.
- PDF AQ-11** Tenants/facility operators shall be required to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- PDF AQ-12** Tenants/facility operators shall provide training in diesel technologies and compliance with CARB regulations to staff in charge of keeping vehicle records, by attending CARB-approved courses. Tenants/facility operators shall maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.
- PDF AQ-13** Tenants/facility operators shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the warehouses within the Project are in good condition, and in proper tune pursuant to manufacturer's specifications.
- PDF AQ-14** The tenant/facility operator shall ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at CARB-approved courses (such as the free, one-day Course #512).
- PDF AQ-15** Include contractual language in tenant lease agreements that requires the tenant be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation, Periodic

Smoke Inspection Program (PSIP), SCAQMD Rule 2305 (Warehouse Indirect Source Rule) and the Statewide Truck and Bus Regulation.

- PDF AQ-16** The Site Developers shall construct electric passenger car charging infrastructure at a minimum of six percent of the total parking spaces. The charging infrastructure shall include conduit for future electric light-duty passenger vehicle (i.e., less than 10,000 pounds) charging stations. Spaces with conduit for future charging stations shall have properly sized and listed raceways/conduits, dedicated branch circuits, service panel or subpanel(s). Both the service panel or subpanel(s) and the raceway termination location shall be visibly marked as “EV CAPABLE.”
- PDF AQ-17** Individual Site Developers shall install conduit for future electric truck charging capabilities at a charging area in a central location within the truck yard.
- PDF AQ-18** The Site Developer shall install all necessary infrastructure (i.e., conduit, reinforced roofs) to allow solar photovoltaic systems on the Project site to be installed on 15 percent of the roof area in the future.
- PDF AQ-19** Tenants/facility operators shall enroll in the U.S. EPA’s SmartWay program and tenants shall use carriers that are SmartWay carriers.
- PDF AQ-20** The tenant/facility operator shall prepare an information packet that:
- Provides information on incentive programs, such as the Carl Moyer Memorial Air Quality Standards Attainment Program (Moyer Program) and Voucher Incentive Program, and other similar funding opportunities to upgrade their fleets. The Moyer Program On-Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped.
 - Recommends the use of electric or alternatively fueled sweepers with high efficiency particulate air (HEPA) filters;
 - Recommends the use of water-based or low VOC cleaning; and
 - 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.
- PDF AQ-21** Site Developers shall install signs at each exit driveway, providing directional information to the County’s truck route. Text on the sign shall read “To Truck Route” with a directional arrow. Truck routes shall be clearly marked pursuant to the Municipal Code.
- PDF AQ-22** The site shall be designed such that any check-in point for trucks is well inside the facility to ensure that there are no trucks queuing outside the facility. Vehicles can access the building using paved roads and parking lots. Further, the Site Developer/tenant/facility operator shall provide signage to ensure that no trucks are queuing outside the facility.

PDF AQ-23 Site Developers shall designate eight percent of the total passenger car parking spaces for clean air/electric vehicle/vanpool parking.

4.6.5 Impacts and Mitigation Measures

Impact 4.6-1 *Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?*

Level of Significance: Significant and Unavoidable

Construction

The energy associated with Project construction includes electricity use associated with water utilized for dust control,¹⁴ diesel fuel from on-road hauling trips, vendor trips, and off-road construction diesel equipment, as well as gasoline fuel from on-road worker commute trips. Because construction activities typically do not require natural gas, it is not included in the following discussion. The methodology for each category is discussed below. This analysis relies on the construction equipment list and operational characteristics, as stated in **Section 4.3: Air Quality** and **Section 4.8: Greenhouse Gas Emissions**. Quantifications of construction energy are provided for the Project below. Total energy demand from all phases of construction is shown in **Table 4.6-2: Energy Use During Construction**.

Table 4.6-2: Energy Use During Construction

Project Source	Total Construction Energy ⁴	San Bernardino County Annual Energy	Percentage Increase Countywide
Electricity Use		GWh	
Water Use ¹	0.0919	15,968	0.0006%
Diesel Use		Gallons	
On-Road Construction Trips ²	1,673,340	281,636,095	0.5941%
Off-Road Construction Equipment ³	1,673,340		0.4839%
Construction Diesel Total	3,036,092		1.0780%
Gasoline		Gallons	
On-Road Construction Trips	428,369	833,255,821	0.0514%
¹ Construction water use based on acres disturbed per day per construction sequencing and estimated water use per acre. ² On-road mobile source fuel use based on vehicle miles traveled (VMT) from CalEEMod and fleet-average fuel consumption in gallons per mile from EMFAC2021 in San Bernardino County for construction year 2026. ³ Construction fuel use was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. ⁴ Total Construction Energy is the combined energy usage over approximately 4 years of construction. Source: Refer to energy calculations in Appendix F .			

Electricity

Water for Construction Dust Control. Electricity use associated with water use for construction dust control is calculated based on total water use and the energy intensity for supply, distribution, and

¹⁴ Electricity usage associated with the power tools required by PDF AQ-1 would be minimal.

treatment of water. The total number of gallons of water used is calculated based on acreage disturbed during grading and site preparation, as well as the daily watering rate per acre disturbed.

- The total acres disturbed are calculated using the methodology described in Chapter 4.2 of Appendix A of the CalEEMod User's Guide, available at: <http://www.caleemod.com/>.
- The water application rate of 3,020 gallons per acre per day is from the Air and Waste Management Association's Air Pollution Engineering Manual (1992).

The energy intensity value is based on the CalEEMod default energy intensity per gallon of water for San Bernardino County. As summarized in Table 4.6-2, the total electricity demand associated with water use for construction dust control would be approximately 0.0597 GWh over the duration of construction.

Petroleum Fuel

On-Road Diesel Construction Trips. The diesel fuel associated with on-road construction mobile trips is calculated based on vehicle miles traveled (VMT) from vehicle trips (i.e., worker, vendor, and hauling), the CalEEMod default diesel fleet percentage, and vehicle fuel efficiency in miles per gallon (MPG). VMT for the entire construction period is calculated based on the number of trips multiplied by the trip lengths for each phase shown in CalEEMod. Construction fuel was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. In summary, the total diesel fuel associated with on-road construction trips would be approximately 1,161,565 gallons over the duration of buildout of the Project (**Table 4.6-2**).

Off-Road Diesel Construction Equipment. Similarly, the construction diesel fuel associated with the off-road construction equipment is calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. The total diesel fuel associated with off-road construction equipment is approximately 1,365,904 gallons for duration of buildout of the Project (**Table 4.6-2**).

On-Road Gasoline Construction Trips. The gasoline fuel associated with on-road construction mobile trips is calculated based on VMT from vehicle trips (i.e., worker, vendor, and hauling), the CalEEMod default gasoline fleet percentage, and vehicle fuel efficiency in MPG using the same methodology as the construction on-road trip diesel fuel calculation discussed above. The total gasoline fuel associated with on-road construction trips would be approximately 427,972 gallons over the duration of buildout of the Project (**Table 4.6-2**).

Construction Energy Use Analysis

In total, construction of the Project would use approximately 0.0597 GWh of electricity, 427,972 gallons of gasoline, and 2,527,469 gallons of diesel. Californians used 279,510 GWh of electricity in 2020, of which San Bernardino County used 15,969 GWh. Project construction electricity use would represent approximately 0.00002 percent of current electricity use in the State, and 0.0004 percent of the current electricity use in San Bernardino County.

By 2026, the year Project construction is anticipated to be completed, Californians are anticipated to use approximately 13,796,664,961 gallons of gasoline and approximately 3,180,498,630 gallons of diesel

fuel.¹⁵ San Bernardino County annual gasoline fuel use in 2026 is anticipated to be 833,255,821 gallons and diesel use was 281,636,095 gallons. During construction, gasoline fuel consumption would increase 0.01¹⁶ percent over average annual gasoline usage in the County and diesel fuel consumption would increase 0.22¹⁷ percent over average annual diesel used in the County. Based on the total Project's relatively low construction fuel use proportional to annual State and County use, the Project would not substantially affect existing energy fuel supplies or resources. New capacity or additional sources of construction fuel are not anticipated to be required.

Transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, current crude oil production would be sufficient to meet 50 years of worldwide consumption.¹⁸ As such, it is expected that existing and planned transportation fuel supplies would be sufficient to serve the Project's temporary construction demand.

SCE's total energy sales are projected to be 101,018 GWh of electricity in 2021.¹⁹ Therefore, the Project's construction-related net annual electricity consumption of 0.0597 GWh over four years of construction would represent approximately 0.00002 percent of SCE's projected annual sales. Therefore, it is anticipated that SCE's existing and planned electricity capacity and electricity supplies would be sufficient to serve the Project's temporary construction electricity demand.

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

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

¹⁵ California Air Resources Board (CARB), EMFAC. 2021. *Emissions Inventory*. <https://arb.ca.gov/emfac/emissions-inventory/3df7a1fd7db76cac78c90b83da9e4334d4f52823> (accessed February 2022).

¹⁶ 0.0514 percent total increase / 4 years of construction = 0.01 percent annual increase

¹⁷ 0.8974 percent total increase / 4 years of construction = 0.22 percent annual increase

¹⁸ BP Global. 2021. *Statistical Review of World Energy*.

¹⁹ California Energy Commission. 2020. *CED 2019 Baseline Forecast – LSE and BA Tables High Demand Case*.

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

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

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

Operations

The Project will be constructed in phases. Phase 1a, Phase 1b, and Phase 2 of the Project are each expected to be operational in 2024, 2025, and 2026, respectively, and will consist of high-cube logistics, e-commerce, ancillary commercial uses, and parking fields/drop lots. The commercial portion of the Project is anticipated to be operational in 2027. The energy consumption associated with Project operations would occur from building energy (electricity and natural gas) use, water use, and transportation-related fuel use. The methodology for each category is discussed below. Quantifications of operational energy use are provided for the Project.

Annual energy use during Phase 1a operations are shown in **Table 4.6-3: Phase 1a Annual Energy Use During Operations**.

Table 4.6-3: Phase 1a Annual Energy Use During Operations

Project Source	Annual Operational Energy	San Bernardino County Annual Energy	Percentage Increase Countywide
Electricity Use		GWh	
Area ¹	11.12	15,969	0.0696%
Water ¹	7.61		0.0477%
Total Electricity	18.73		0.1173%
Natural Gas Use		Therms	
Area ¹	103,528	527,236,428	0.0196 %
Diesel Use		Gallons	
Mobile ²	8,210,867	281,227,313	2.52 %
Gasoline Use		Gallons	
Mobile ²	1,366,601	822,283,208	0.17 %
¹ The electricity, natural gas, and water usage are based on project-specific estimates and CalEEMod defaults. ² Calculated based on the mobile source fuel use based on vehicle miles traveled (VMT) and fleet-average fuel consumption (in gallons per mile) from EMFAC2021 for operational year 2027. Source: Refer to energy calculations in Appendix F , Energy Calculations.			

Annual energy use during Phase 1b operations are shown in **Table 4.6-4: Phase 1b Annual Energy Use During Operations**.

Table 4.6-4: Phase 1b Annual Energy Use During Operations

Project Source	Annual Operational Energy	San Bernardino County Annual Energy	Percentage Increase Countywide
Electricity Use		GWh	
Area ¹	8.59	15,969	0.0538 %
Water ¹	4.60		0.0288 %
Total Electricity	13.19		0.0826 %
Natural Gas Use		Therms	
Area ¹	87,000	527,236,428	0.0165 %
Diesel Use		Gallons	
Mobile ²	6,148,132	281,227,313	2.19 %
Gasoline Use		Gallons	
Mobile ²	1,099,103	822,283,208	0.13 %
¹ The electricity, natural gas, and water usage are based on project-specific estimates and CalEEMod defaults. ² Calculated based on the mobile source fuel use based on vehicle miles traveled (VMT) and fleet-average fuel consumption (in gallons per mile) from EMFAC2021 for operational year 2027. Source: Refer to energy calculations in Appendix F , Energy Calculations.			

Annual energy use during Phase 2 operations are shown in **Table 4.6-5: Phase 2 Annual Energy Use During Operations**.

Table 4.6-5: Phase 2 Annual Energy Use During Operations

Project Source	Annual Operational Energy	San Bernardino County Annual Energy	Percentage Increase Countywide
Electricity Use GWh			
Area ¹	12.49	15,969	0.0782 %
Water ¹	3.76		0.0235 %
Total Electricity	16.25		0.1017 %
Natural Gas Use Therms			
Area ¹	143,953	527,236,428	0.0273 %
Diesel Use Gallons			
Mobile ²	1,974,668	281,227,313	0.70 %
Gasoline Use Gallons			
Mobile ²	360,429	822,283,208	0.04 %
¹ The electricity, natural gas, and water usage are based on project-specific estimates and CalEEMod defaults. ² Calculated based on the mobile source fuel use based on vehicle miles traveled (VMT) and fleet-average fuel consumption (in gallons per mile) from EMFAC2021 for operational year 2027. Source: Refer to energy calculations in Appendix F , Energy Calculations.			

Annual energy use for commercial operations are shown in **Table 4.6-6: Commercial Annual Energy Use During Operations**.

Table 4.6-6: Commercial Annual Energy Use During Operations

Project Source	Annual Operational Energy	San Bernardino County Annual Energy	Percentage Increase Countywide
Electricity Use GWh			
Area ¹	2.35	15,969	0.0147%
Water ¹	0.90		0.0056%
Total Electricity	3.25		0.0203%
Natural Gas Use Therms			
Area ¹	4,012	527,236,428	0.0008 %
Diesel Use Gallons			
Mobile ²	106,472	281,227,313	0.04 %
Gasoline Use Gallons			
Mobile ²	801,438	822,283,208	0.10 %
¹ The electricity, natural gas, and water usage are based on project-specific estimates and CalEEMod defaults. ² Calculated based on the mobile source fuel use based on vehicle miles traveled (VMT) and fleet-average fuel consumption (in gallons per mile) from EMFAC2021 for operational year 2027. Source: Refer to energy calculations in Appendix F , Energy Calculations.			

Total estimated operational energy use at project buildout is set forth below in **Table 4.6-7**.

Petroleum Fuel

The gasoline and diesel fuel associated with on-road vehicular trips is calculated based on total VMT calculated for the analyses within **Section 4.3: Air Quality**, and **Section 4.8: Greenhouse Gas Emissions**, and average fuel efficiency from the EMFAC model. The EMFAC fuel efficiency data incorporates the

Pavley Clean Car Standards and the Advanced Clean Cars Program.²⁰ As summarized in **Table 4.6-3**, the total gasoline and diesel fuel associated with Phase 1a would be approximately 1,366,601 gallons per year and 8,210,867 gallons per year, respectively. Gasoline and diesel fuel associated with Phase 1b is shown in Table 4.6-4 and would be approximately 1,099,103 gallons per year and 6,148,132 gallons per year, respectively. Phase 2 fuel consumption is summarized in Table 4.6-5 and would be approximately 360,429 gallons of gasoline and 1,974,668 gallons of diesel fuel. Fuel consumption for the commercial parcel is estimated to be approximately 801,438 gallons of gasoline and 106,472 gallons of diesel fuel as shown in **Table 4.6-6**.

Electricity

The electricity use during Project operations is based on CalEEMod defaults. Phase 1a of the Project would use approximately 18.73 GWh of electricity on-site per year (**Table 4.6-3**). Phase 1b of the Project would use approximately 13.19 GWh of electricity on-site per year (**Table 4.6-4**). Phase 2 of the Project would use approximately 16.25 GWh of electricity on-site per year (**Table 4.6-5**). The commercial portion of the Project would use approximately 3.25 GWh of electricity on-site per year (**Table 4.6-6**).

The electricity associated with operational water use is estimated based on the annual water use and the energy intensity factor is the CalEEMod default energy intensity per gallon of water for San Bernardino County. Project area water use is based on the CalEEMod default rates. The Project would use approximately 1,227 million gallons annually of water annually which would require approximately 15.96 GWh per year for conveyance and treatment, 7.61 GWh per year for Phase 1a, 4.59 GWh per year for Phase 1b, 3.75 GWh per year for Phase 2, and 0.90 GWh per year for the commercial component.

Natural Gas

The methodology used to calculate the natural gas use associated with the Project is based on CalEEMod default rates. Phase 1a would use 103,528 therms of natural gas per year (**Table 4.6-3**), Phase 1b would use 87,000 therms of natural gas per year (**Table 4.6-4**), Phase 2 would use 143,953 therms of natural gas per year (**Table 4.6-5**), and commercial portion of the Project would use 4,012 therms of natural gas per year (**Table 4.6-6**).

Operational Energy Use Analysis

Annual energy use from operations of the combined Phase 1a, Phase 1b, Phase 2, and commercial component of the Project is shown in **Table 4.6-7: Project Buildout Annual Energy Use During Operations**.

²⁰ The CARB EMFAC 2017 Technical Documentation from March 2018 notes that emissions are estimated with all current controls active, except Low Carbon Fuel Standards (LCFS). The reason for excluding LCFS is that most of the emissions benefits due to the LCFS come from the production cycle (upstream emissions) of the fuel rather than the combustion cycle (tailpipe). As a result, LCFS is assumed to not have a significant impact on CO₂ emissions from EMFAC's tailpipe emission estimates.

Table 4.6-7: Project Buildout Annual Energy Use During Operations

Project Source	Annual Operational Energy	San Bernardino County Annual Energy	Percentage Increase Countywide
Electricity Use		GWh	
Area ¹	34.55	15,969	0.2164 %
Water ¹	15.96		0.0999 %
Total Electricity	50.51		0.3163 %
Natural Gas Use		Therms	
Area ¹	338,493	527,236,428	0.0642 %
Diesel Use		Gallons	
Mobile ²	16,440,139	281,227,313	5.84 %
Gasoline Use		Gallons	
Mobile ²	3,627,570	822,283,208	0.48 %
¹ The electricity, natural gas, and water usage are based on project-specific estimates and CalEEMod defaults. ² Calculated based on the mobile source fuel use based on vehicle miles traveled (VMT) and fleet-average fuel consumption (in gallons per mile) from EMFAC2021 for operational year 2027. Source: Refer to energy calculations in Appendix F , Energy Calculations.			

As shown in **Table 4.6-7**, Project operations could consume 5.84 percent of the diesel fuel annually used in the County of San Bernardino. The operational diesel fuel consumption of the Project is not considered wasteful, inefficient, or an unnecessary consumption of energy resources, as the Project will serve an important role in the movement of goods throughout the County and the Project incorporates design features, standard conditions, and mitigation measures to minimize energy use to the greatest extent feasible. Nonetheless, the volume of fuel consumed by the Project would result in a significant impact. Notably, diesel consumption is expected to decline over time as, among other things, zero emissions and near zero emissions heavy trucks become widely available and economically feasible and are incorporated into the truck fleets serving the Project. No credit for potential future reductions in diesel use is incorporated into the analysis, however, as discussed further below.

The Project is anticipated to generate 34,150 net daily trips. Although the Project includes numerous PDFs that would minimize fuel consumption, vehicle fuel efficiency standards are set by the State and Federal Government and are beyond the scope of the Project. To minimize fuel consumption, the Project includes **PDF AQ-8** which requires all heavy-duty vehicles entering or operated on the project site shall be model year 2010 or later and therefore more fuel efficient. To promote the use of alternative fuels and clean fleets and facilitate future installation of electric vehicle supply equipment, **PDF AQ-9** requires that all heavy-duty trucks shall be zero emissions beginning in 2030 if such trucks are widely available and economically feasible and **PDF AQ-10** requires tenants/facility operators to use zero-emission light- and medium-duty trucks as part of business operations, if such trucks are widely available and economically feasible. **PDF AQ-11** requires tenants/facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. **PDF AQ-12** and **PDF AQ-13** requires future tenants/facility operators to attend CARB training for record keeping and ensuring vehicles comply with CARB regulations and are in good condition. **PDF AQ-14** requires site enforcement staff to be certified in diesel health effects and technologies by attending CARB training and **PDF AQ-15** requires compliance with all current air quality regulations for on-road trucks. **PDF AQ-16** and

PDF AQ-17 requires charging infrastructure and conduits, and **PDF AQ-18** requires necessary infrastructure to allow solar photovoltaic systems to be installed in the future. **PDF AQ-19** enroll in the EPA's SmartWay program and **PDF AQ-20** provide information on CARB's Carl Moyer Voucher Incentive Program to upgrade fleets. **PDF AQ-21** requires signage for truck routes and **PDF AQ-22** requires check-in points to be located inside the facility to ensure truck queues do not occur outside of the facility. **PDF AQ-23** requires the installation of light-duty vehicle charging stations and **PDF AQ-24** designates eight percent of the total passenger car parking for clean air/electric vehicle/vanpool parking.

Additionally, Standard Conditions (**SC GHG-1** through **SC GHG-4** and **SC GHG-7** through **SC GHG-9**) would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of electric vehicle supply equipment, and limit idling times. **SC GHG-1** requires construction equipment be turned off when not in use. **SC GHG-2** requires that 15 percent of the roof area be able to accommodate rooftop solar panels. **SC GHG-3** requires water-efficient irrigation systems and **SC GHG-4** requires buildings to include water-efficient fixtures. **SC GHG-7** requires at least eight percent of parking spaces be designated for fuel efficient carpool/vanpool vehicles and **SC GHG-8** requires at least six percent of parking spaces be available for the installation of electric vehicle supply equipment. **SC GHG-9** limits commercial vehicle idling time to no more than five minutes.

Furthermore, the Project's Air Quality Assessment includes numerous mitigation measures that would also reduce fuel consumption. **MM AQ-3** requires the implementation of a Transportation Demand Management (TDM) program to reduce single occupant vehicle trips and encourage transit. **MM AQ-4** requires the buildings to be designed to accommodate electric vehicle (EV) infrastructure, **MM AQ-5** requires tenant installation of conduit at select loading bays for future transportation refrigeration units if required by future tenants who utilize cold storage, and **MM AQ-6** prohibits idling when engines are not in use. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, **MM AQ-7** requires energy efficient vendor trucks, **MM AQ-8** requires EV charging stations and carpool parking, and **MM AQ-9** requires electric outdoor cargo handling equipment (i.e., forklifts and yard trucks). **MM AQ-10** requires compliance with SCAQMD's Warehouse Indirect Source Rule (Rule 2305). The Project's Greenhouse Gas Emission Assessment also included mitigation measures that would reduce energy consumption. **MM GHG-2** requires the Project to offset energy demand with solar PV infrastructure and **MM GHG-3** requires the Project to meet or exceed CALGreen Tier 2 standards (which exceeds code requirements).

Recent case law (*League to Save Lake Tahoe, Mountain Area Preservation, et al./California Clean Energy Committee v. County of Placer, et al.* (Sierra Pacific Industries, et al., Real Parties in Interest)) (2022) has indicated that an EIR's analysis of a project's impacts on energy resources must include a discussion of whether the project would increase its reliance on renewable energy sources to meet its energy demand as part of determining whether the project's energy impacts are significant. As discussed above, the Project includes several Design Features and would be required to comply with various Standard Conditions that would minimize energy consumption. Specifically, PDF AQ-18 includes the installation of all necessary infrastructure (i.e., conduit, reinforced roofs) to allow solar photovoltaic systems on the project site to be installed in the future. Additionally, Project mitigation requires the project to offset energy demand with on-site solar PV or other renewable energy source and buildings are required to meet

or exceed CALGreen Tier 2 standards (**MM GHG-2** and **MM GHG-3**). As the Project is required to minimize its energy consumption (**MM GHG-3**) and generate its own renewable energy (**MM GHG-2**), its impacts in this regard would be less than significant.

It should be noted that as the nature, timing, and extent of the incorporation of ZE and NZE vehicles cannot be determined at this time and any fuel consumption reductions associated with ZE and NZE vehicles were not utilized in this analysis. Although the Project includes Project Design Features, Standard Conditions, and Mitigation Measures that incorporate ZE and NZE vehicles in the future, these reductions currently cannot be accurately quantified and therefore are not included in **Tables 4.6-3, 4.6-4, 4.6-5, 4.6-6, and 4.6-7**. The Project would be required to adhere to all federal, State, and local requirements for energy efficiency, including the latest Title 24 standards. The Standard Conditions, Project Design Features and Mitigation Measures provide that the Project would not operate in a manner that is any more inefficient, wasteful, or unnecessary than other similar development projects of this nature, particularly when compared to buildings that were constructed under less stringent efficiency standards. The Project's consumption would not be wasteful, inefficient, or unnecessary. However, conservatively, due to the projected energy consumption of gasoline and diesel fuel, potential energy impacts from the Project are considered significant and unavoidable.

Standard Conditions

Refer to **SC GHG-1** through **SC GHG-4** and **SC GHG-7** through **SC GHG-9** in Section 4.8, Greenhouse Gas Emissions.

Mitigation Measures

Refer to **MM AQ-3** through **MM AQ-10** in **Section 4.3, Air Quality** and **MM GHG-2** and **MM GHG-3** in **Section 4.8: Greenhouse Gas Emissions**.

Impact 4.6-2 *Would the Project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?*

Level of Significance: Significant and Unavoidable

As discussed in Impact 4.6-1 above, the energy conservation policies and plans relevant to the Project include the California Title 24 energy standards and the 2019 CALGreen building code. The Project would be required to comply with these existing energy standards and any updates to these standards that come into existence prior to construction. In addition, the Project is consistent with the San Bernardino County Greenhouse Gas Reduction Plan which will also reduce energy use. Compliance with state and local energy efficiency standards would ensure that the Project meets all applicable energy conservation policies and regulations. As such, the Project would not conflict with applicable plans for renewable energy or energy efficiency. SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (Connect SoCal) (RTP/SCS), adopted in September 2020, integrates transportation, land use, and housing to meet GHG reduction targets set by CARB. The document establishes GHG emissions goals for automobiles and light-duty trucks, as well as an overall GHG target for the region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of SB 375. The Project would not conflict with the stated goals of the RTP/SCS. However, due to the size of the Project and potential volume of fuel

consumed in the operation of the Project, it cannot be confirmed that energy use involved in Project implementation would remain consistent at all times. Therefore, this impact is conservatively considered significant and unavoidable.

Mitigation Measures

Standard Conditions

Refer to **SC GHG-1** through **SC GHG-4** and **SC GHG-7** through **SC GHG-9** in **Section 4.8: Greenhouse Gas Emissions**.

Refer to **MM AQ-3** through **MM AQ-10** in **Section 4.3: Air Quality**, and **MM GHG-2** and **MM GHG-3** in **Section 4.8: Greenhouse Gas Emissions**.

4.6.6 Cumulative Impacts

Construction and operations associated with implementation of the Project would result in the use of energy, but not in a wasteful, inefficient, or unnecessary manner. The use of energy would not be substantial in comparison to statewide usage of electricity, natural gas, and gasoline, refer to **Table 4.6-7**. Project demands for diesel fuel may be considered substantial but are anticipated to decrease over time as ZE and NZE trucks become more available in the future. As discussed above, the Project-related construction electricity consumption would represent approximately 0.00002 percent of SCE generated electricity. Therefore, the Project's construction electricity consumption would be negligible relative to SCE's generated electricity and electricity supplies would be sufficient to serve the Project's temporary construction electricity demand.

During operations the Project-related net annual electricity consumption would represent approximately 0.0009 percent of SCE's projected 111,205 GWh of electricity sales in 2030.²¹ SCE would review the Project's estimated electricity consumption in order to ensure that the estimated power requirement would be part of the total load growth forecast for their service area and accounted for in the planned growth of the power system to ensure sufficient power for the Project.

Based on the 2020 California Gas Report,²² the California Energy and Electric Utilities estimates natural gas consumption within SoCalGas' planning area will be approximately 2,597 million cf per day in 2021. The Project's natural gas consumption (338,493 therms per year [0.09 million cubic feet per day]) would account for approximately 0.02 percent of the SoCalGas natural gas consumption. It should be noted that the planning projections of SCE and SoCalGas consider planned development for their service areas and are in and of themselves providing for cumulative growth. Therefore, it is likely that the cumulative growth associated with the related projects is already accounted for in the planning of future supplies to cover projected demand.

Furthermore, transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, current

²¹ California Energy Commission. 2022. *California Energy Demand 2020-2030 Revised Forecast*
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=232311&DocumentContentId=64299> Form 1.1C (accessed February 2022).

²² California Gas and Electric Utilities. 2020. *2020 California Gas Report*.

crude oil production would be sufficient to meet 50 years of worldwide consumption.²³ As such, it is expected that existing and planned transportation fuel supplies would be sufficient to serve the Project's construction and operational demand. New capacity or supplies of energy resources would not be required. Additionally, the Project would be subject to compliance with all federal, State, and local requirements for energy efficiency. Project demands for diesel fuel are anticipated to decrease over time as ZE and NZE trucks become more available in the future.

The Project and new development projects located within the cumulative study area would also be required to comply with all the same applicable federal, State, and local measures aimed at reducing fossil fuel consumption and the conservation of energy. The anticipated Project impacts, in conjunction with cumulative development in the vicinity, would increase urbanization and result in increased energy use. Potential land use impacts are site-specific and require evaluation on a case-by-case basis. However, due to the high volume of diesel fuel consumption, the Project's diesel fuel consumption would be cumulatively considerable. As described above, there are no additional feasible mitigation measures that would reduce this impact. Therefore, cumulative impacts would be potentially significant.

4.6.7 Significant Unavoidable Impacts

With implementation of the Project, significant unavoidable impacts would occur in the following area:

- **Fuel Consumption.** Although operation of the Project would not result in wasteful, inefficient, or unnecessary consumption of diesel fuel, the potential for the Project to increase San Bernardino County's consumption of diesel fuel by over five percent is conservatively considered significant and unavoidable. However, in the future, Project demands for diesel fuel are anticipated to decrease over time as ZE and NZE trucks become more available.

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²³ BP Global. 2021. *Statistical Review of World Energy*.

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4.7 GEOLOGY AND SOILS

4.7.1 Introduction

This section of the EIR evaluates the potential geological impacts associated with the development of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project). This section discusses the Project's environmental setting, applicable federal, state, and regional policies and regulations, and mitigation measures that would avoid or minimize potential impacts, if any are identified. Baseline conditions were established by comparing the Project site's current condition with the information included in the following studies found in EIR **Appendix G**:

- Kleinfelder (2021). *Preliminary Report of Geotechnical Study*.
- Kleinfelder (2021). *Report of Preliminary Infiltration Study*.
- PaleoWest (2022). *Paleontological Resource Assessment (PRA) for the Speedway Commerce Center II, San Bernardino County, California*.

As discussed in **Section 3.0: Project Description**, the Project will develop e-commerce, high-cube logistics, parking field and drop lot areas, and ancillary commercial facilities.

4.7.2 Environmental Setting

Existing Conditions

The Project lies between the cities of Fontana and Rancho Cucamonga in the unincorporated area of southwestern San Bernardino County. The Project encompasses approximately 433 acres of land within the existing 522-acre Auto Club Speedway (ACS) property. The Project site is comprised of 10 contiguous parcels (Assessor Parcel Numbers 0231-011-09, -10, -11, -12 and 0231-111-06, -10, -17, -18, -19, -20) bounded by Cherry Avenue to the east, an active freight and passenger rail line to the north, the West Valley Materials Recycling Facility to the west, and California Steel Industries to the south. The Project area lies in Sections 9, 10, 15, and 16, Township 1 South, Range 6 West, San Bernardino Baseline and Meridian, as depicted on the Guasti, CA and Fontana, CA 7.5-minute U.S. Geological Survey (USGS) topographic quadrangles. The elevation of the Project area ranges from approximately 1,090 to 1,170 feet above mean sea level (amsl).¹

Geologic Conditions

As discussed above, the Preliminary Report of Geotechnical Study (Geotechnical Study) was conducted by Kleinfelder, which established baseline geologic conditions for the Project. Boring, shear wave velocity testing and percolation testing techniques identified artificial fill soils and alluvium at the Project site. Refer to **Figure 4.7-1: Boring Locations**.

Regional Geologic Setting

The Project site is situated within the Chino Valley at the northern end of the Perris block along the northern boundary of the Peninsular Ranges geomorphic province of California. The Peninsular Ranges

¹ Kleinfelder. 2021. *Preliminary Report of Geotechnical Study*. Page 5.

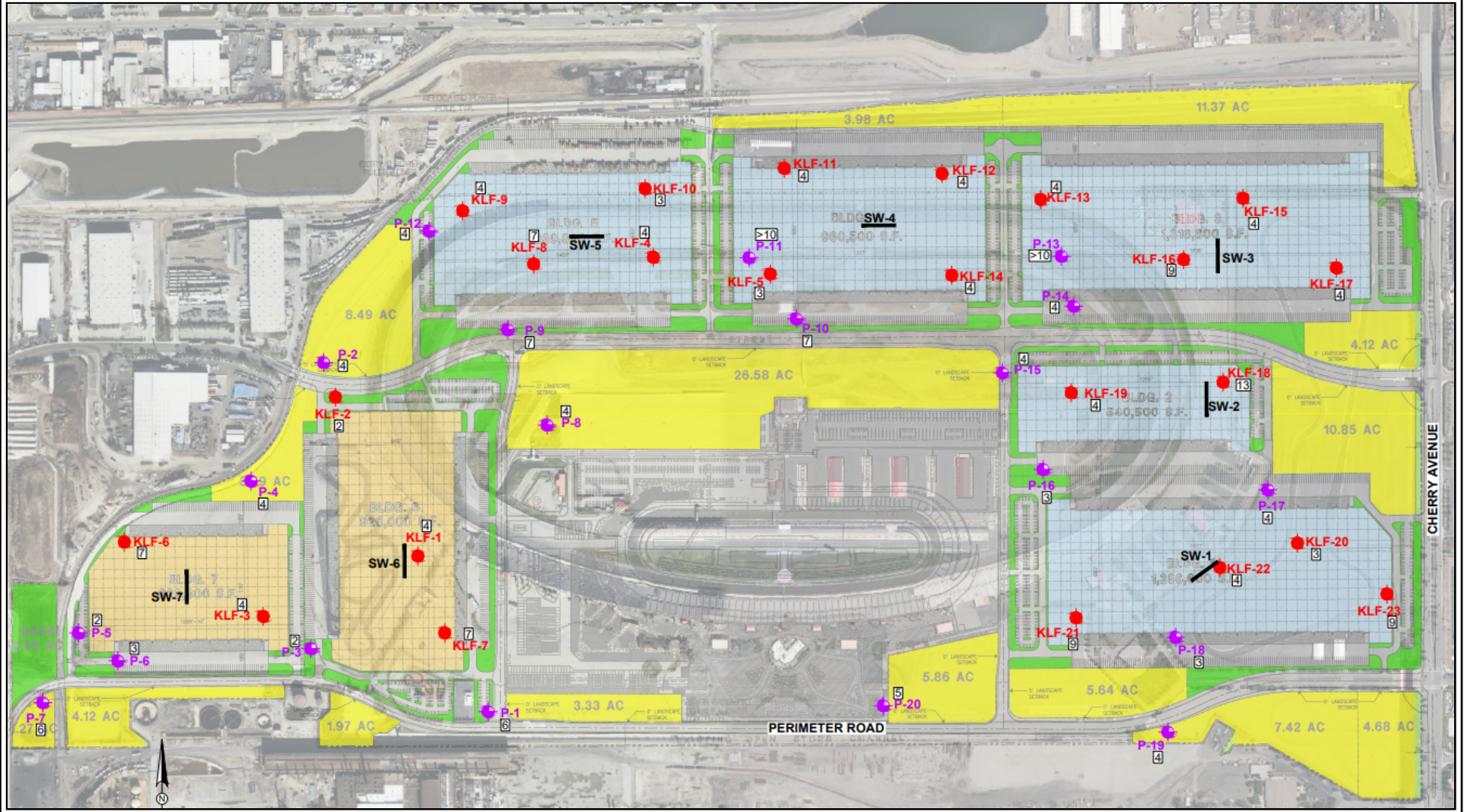
are the southernmost segment of a chain of North American Mesozoic batholiths that extend from Alaska to the southern tip of Baja California and are a series of northwest-southeast trending mountain ranges separated by similarly trending valleys. The geomorphic structures in the area are sub-parallel to the major fault systems, such as the Elsinore Fault zone, which includes the Whittier, Chino-Central Avenue, and the San Jacinto Fault zone. The Perris Block is composed chiefly of crystalline rocks of Cretaceous and earlier ages with thin mantles of sedimentary and volcanic rocks. The Perris Block is bounded on the northeast by the San Jacinto fault zone, on the north by the Sierra Madre-Cucamonga fault zone, and on the west by the Elsinore Fault zone. The southern boundary is undefined.

Local Geologic Setting

The Project Site is underlain by Holocene age alluvial-fan deposits. During drilling conducted for the Geotechnical Study, surficial deposits were observed that consist of fill soils ranging in thickness from approximately 2 to 13 feet below ground surface. See **Figure 4.7-1** for the locations of these borings that were drilled for the Geotechnical Study.

Legend

- **KLF-23** APPROXIMATE GEOTECHNICAL BORING LOCATION
- **P-20** APPROXIMATE INFILTRATION TEST LOCATION
- 48 **SW-7** APPROXIMATE DEPTH OF EXISTING FILL IN FEET
- SW-7** APPROXIMATE SEISMIC LINE LOCATION



Source: Kleinfelder, 2021

FIGURE 4.7-1: Boring Locations

Speedway Commerce Center II
City of Rancho Cucamonga



Not to scale

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Site Geologic Setting

The Project area is situated south of the San Gabriel Mountains, which are part of the Transverse Ranges that separate the Los Angeles Basin and the Mojave Desert, in the eastern portion of the Pomona Valley. The Pomona Valley is bordered to the west by the San Gabriel Valley, to the north by the San Gabriel Mountains, to the east by the San Bernardino Valley, and to the south by the Santa Ana River. The alluvial valley was formed by the Santa Ana River and its tributaries. The Santa Ana River originates on the northern and eastern slopes of Mount San Gorgonio and is the largest hydrological feature near the Project area, approximately eight miles away. The San Antonio Creek bisects the western portion of Pomona Valley and runs along the Los Angeles County and San Bernardino County border. Other notable tributaries emerging from the southern slopes of the San Gabriel Mountains include Lytle Creek, Cajon Wash, Deer Canyon Wash, Cucamonga Creek, and Etiwanda Creek.²

Artificial Fill Soils

Artificial fill soils encountered at the Project site generally consist of sandy silt, silty sand, and sands with varying amounts of gravel and cobbles. During grading for the existing ACS development on the Project site, artificial fill containing construction debris was used. This construction debris generally consisted of concrete, brick, and steel slag and is considered inert materials. Kleinfelder, as part of the Geotechnical Study, documented that previously existing concrete structures and steel slag remnants were crushed and placed within the fill. In the locations of soil borings, artificial fill extended up to 13 feet below the ground surface (bgs). It is likely there are thicker sections of artificial fill present on-site based on observations by others during demolition and remediation of the Kaiser Steel facility and during construction of the ACS.

Alluvium

The alluvium/native soils found on the Project site during soil borings generally consisted of sandy silts, sandy clays, silty sands, and sands with varying amounts of gravel and cobble to the total depth explored of approximately 51.5 feet bgs. The apparent density of the subsurface soils was medium stiff to hard and loose to very dense.

Groundwater

Groundwater was not encountered at any of the borings which were drilled up to an approximate depth of 51.5 feet bgs. However, perched groundwater was encountered at 5.5 feet bgs, 43 feet bgs, and 48 feet bgs at borings KLF-4, KLF-12, and KLF-13, respectively. On-site groundwater monitoring wells measured groundwater depths to be between 425 and 450 feet bgs and were last measured on February 13, 2019 by Western Municipal Water District (WMWD) as part of their Cooperative Well Measuring Program. Another well approximately 1.0 mile north of the site has measured groundwater depth at approximately 500 feet bgs, and was last measured on November 19, 2019.³

² PaleoWest. 2022. *Cultural Resource Assessment for the Speedway Commerce Center II Specific Plan Project*; Page 9.

³ Kleinfelder. 2021. *Preliminary Report of Geotechnical Study: Proposed Speedway Commerce Center II*; Page 7.

Soil Erosion

Erosion refers to the removal of soil from exposed bedrock surfaces by water or wind. The effects of erosion are intensified with an increase in slope (as water moves faster, it gains momentum to carry more debris), the narrowing of runoff channels (which increases the velocity of water), and by the removal of groundcover (which leaves the soil exposed to erosive forces). Surface improvements, such as paved roads and buildings, decrease the potential for erosion on-site but can increase the rate and volume of runoff, potentially causing off-site erosion.

Expansive Soils

Expansive soils are common throughout California and can cause damage to foundations and slabs, separation of masonry, or failure of paved surfaces unless properly treated during construction. Expansive soil conditions could cause damage to facility components if they are not designed with proper engineering and grading practices. The hazard for expansive behavior is considered a low risk for alluvial fan locations because soils in these areas are frequently saturated and generally do not contain clay-sized particles.

Liquefaction

Liquefaction is the loss of strength in generally cohesionless, saturated soils when the pore-water pressure induced in the soil by a seismic event becomes equal to or exceeds the overburden pressure. The primary factors which influence the potential for liquefaction include groundwater table elevation, soil type and plasticity characteristics, relative density of the soil, initial confining pressure, and intensity and duration of ground shaking. The cohesionless soils most susceptible to liquefaction are loose, saturated sands, and some silt. The Project site is not located within an area of the County with susceptibility for liquefaction.⁴

Lateral Spreading

Lateral spreading and flow slides are phenomena where surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial blocks are transported downslope or in the direction of a free face by earthquake and gravitational forces. Lateral spreading is thought to occur on slopes as level as 0.5 percent, or on level ground with a “free face,” such as a stream bank. Flow slides occur when conditions are favorable for liquefaction to occur and lead to a state of unlimited flow. A contributing factor to lateral spreading and flow slides is the presence of stratified soil in which pore pressures build up within potentially liquefiable layers that are confined by lower permeability soil layers. This can result in significant reductions in shear strength and large lateral deformations and flow failures. Potential for lateral spreading and flow slide would be low to negligible since the Project’s topography does not contain steep slopes or a “free face” and is not within an area of the County with susceptibility for liquefaction.

⁴ County of San Bernardino. 2020. *Countywide Plan; Map HZ-2 Liquefaction and Landslides*. <https://www.arcgis.com/apps/webappviewer/index.html?id=5864a434814c4e53adc74101b34b1905> (accessed November 2021).

Ground Subsidence

Ground subsidence is the gradual settling or sinking of the ground, usually associated with the extraction of oil, gas, or groundwater from below the ground surface, or the organic decomposition of peat deposits, with a resultant loss in volume. Ground subsidence can occur as a result of sediment consolidation subsequent to groundwater or petroleum withdrawal or from liquefaction of subsurface soils due to seismic shaking. The Project site is not situated within a City, County, or State designated area which is zoned or listed as susceptible to land subsidence. The risk of subsidence and/or earth fissures as a result of groundwater or petroleum withdrawal at the site is considered low. Depth to groundwater is reported to be greater than 400 feet below the ground surface and as such, subsidence due to liquefaction is considered low.

Landslides

Landslides and other forms of mass wasting, including mud flows, debris flows, soil slips, and rock falls occur as soil or rock moves down slope under the influence of gravity. They occur in areas of moderate-to-steep topography (e.g., slopes greater than 3:1 (horizontal: vertical)) and where the combination of soil, rock, and groundwater conditions results in ground movement. The site is not a County-designated landslide hazard zone.⁵ The site is relatively flat and the risk at the site from landslides and other forms of mass wasting is considered very low.

Potentially Contaminated Soils

The 1995 EIR for the Auto Club Speedway, certified May 2, 1995, determined that there may be contaminated soils present on-site associated with the former Kaiser Steel Mill. A remediation plan was prepared separately from this EIR to address the removal and/or treatment of hazardous waste materials associated with the steel mill site under the direction of the Department of Toxic Substances Control (DTSC). It was assumed that the impacts of the cleanup activities approved and monitored by DTSC were evaluated independently of the ACS EIR. Though the remediation has been completed, the presence of contaminated soils is still possible on site. This potential condition is discussed in more detail in **Section 4.9: Hazards and Hazardous Materials**.

Paleontological Resources Potential

PaleoWest utilized guidelines set forth by the Society of Vertebrate Paleontology (SVP) to determine the potential for paleontological resources at the proposed Project site. These guidelines establish protocols for the assessment of the paleontological resource potential of underlying geologic units and outline measures to mitigate adverse impacts that could result from project development. Using baseline information gathered during a paleontological resource assessment, the paleontological resource potential of the geologic unit(s) (or members thereof) underlying a project area can be assigned to one of four categories defined by SVP. These categories include high, undetermined, low and no paleontological resource potential.

⁵ County of San Bernardino. 2020. *Countywide Plan; Map HZ-2 Liquefaction and Landslides*. <https://www.arcgis.com/apps/webappviewer/index.html?id=5864a434814c4e53adc74101b34b1905> (accessed November 2021).

- **High Sensitivity:** Vertebrate fossils, as well as the respective stratigraphic units in which these vertebrate fossils were discovered, are likely present and likely have significant scientific value. In areas of high sensitivity, full-time monitoring is recommended during project-related ground disturbance.
- **Low Sensitivity:** Stratigraphic units that have yielded few fossils in the past, based upon review of available literature and museum collections records, are considered to possess low paleontological sensitivity. Monitoring is usually not recommended during excavation within a stratigraphic unit of low sensitivity, although spot monitoring may be recommended to confirm that disturbance remains restricted to low-sensitivity units.
- **Undetermined Sensitivity:** In certain instances, the lack of available literature on a particular geologic unit, or absence of exposures of that unit, make it difficult to determine a unit's likelihood of yielding fossiliferous remains. Under these circumstances, further studies may be recommended to assess the unit's paleontological resource potential (i.e., field survey). If a unit remains of "undetermined" paleontological sensitivity, then it is treated as possessing "high" sensitivity for purposes of initial monitoring and mitigation.
- **No Sensitivity:** This category includes geological strata that are either too young (<10,000 years old), too weathered, metamorphosed, or too coarse-grained to preserve significant fossilized remains. Metamorphic and plutonic igneous rocks normally do not contain fossils due to the high heat and pressure during their formation, and commonly possess no paleontological sensitivity.

Methodology

In order to assess whether or not a particular area has the potential to contain significant fossil resources at the subsurface, it is necessary to review published geologic mapping to determine the geology and stratigraphy of the area. Geologic units are considered to be "sensitive" for paleontological resources if they are known to contain significant fossils anywhere in their extent. Therefore, a search of pertinent local and regional museum repositories for paleontological localities within and nearby the Project area is necessary to determine whether or not fossil localities have been previously discovered within a particular rock unit. For this Project, data obtained from recent museum records searches conducted at the National History Museum of Los Angeles County (NHMLAC) and the San Bernardino County Museum (SBCM) were used to assess paleontological resource sensitivity. The museum records search was supplemented by a review of the online collections of the University of California Museum of Paleontology (UCMP) and the San Diego Natural History Museum, the online Paleobiology Database and FAUNMAP, and other published paleontological and geological literature which contains records for the surrounding area.

Site-Specific Geology and Paleontology

According to published geologic maps, the Project area is predominantly underlain by Artificial fill (Qaf), with lesser amounts of Very young alluvial-fan deposits (Qf) and Young alluvial-fan deposits, Unit 5 (Qyf₅), all of late Holocene age. Artificial fill is composed of imported sand, gravel, and bedrock associated with construction activities. Due to its artificial nature and ex-situ context, Artificial fill has no paleontological sensitivity.

Very young alluvial-fan deposits are composed of unconsolidated to slightly coherent undissected deposits of angular to subrounded sand, gravel, and boulders. Young alluvial-fan deposits, Unit 5, are composed of unconsolidated to slightly consolidated coarse-grained sand to bouldery alluvial fan deposits having slightly dissected to essentially undissected surfaces. Due to their young age, late Holocene deposits have not been able to accumulate or preserve significant biological material and are considered to have low paleontological sensitivity.

However, late Holocene deposits can transition with depth into older Pleistocene deposits which have a high paleontological sensitivity. Elsewhere in San Bernardino County, Pleistocene deposits have produced remains of a diverse terrestrial fauna, including deer, mammoth, camel, horse, bison, badger, mole, rabbit, gray fox, and coyote.

Records Search Results

The NHMLAC and SBCM do not have on record any previously recorded vertebrate fossil localities directly within the proposed Project boundaries; however, several fossil localities from sedimentary deposits similar to those found at depth within the Project site have been recorded somewhat nearby. South-southwest of the proposed Project area west of Mira Loma, LACM 8062 yielded fossil specimens of *Proboscidea* (elephant), *Ursus* (bear), *Canis dirus* (dog), *Equus* (horse), *Camelops* (camel) and *Bison* (bison) at shallow depths. Slightly farther south-southwest, LACM 7811 yielded a fossil specimen of *Masticophis flagellum* (coachwhip) from older Quaternary deposits at depths of 9 to 11 feet below the ground surface. The SBCM contains records of eight fossil sites within three miles of the Project, to the southeast. SBCM 5.1.11 preserved a partial *Smilodon* skull (sabre-toothed cat) at five feet below ground surface; SBCM 5.1.14 produced the invertebrates *Gyraulus sp.*, *Stagnicola sp.*, Gastropoda, and Bivalvia, in addition to the vertebrates, *Sylvilagus sp.* (rabbit), *Thomomys sp.* (pocket gopher), *Neotoma sp.* (packrat), *Microtus californicus* (California vole), and *Mammut pacificus* (Pacific mastodon). SBCM 5.1.15 resulted in a partial *Bison* tooth; SBCM 5.1.16 preserved bone fragments of *Camelops hesternus* (camel); SBCM 5.1.17 and 5.1.19 produced large mammal bones and fragmentary remains of *Mammut pacificus*. SBCM 5.1.20 preserved fragments of *Camelops hesternus*; SBCM 5.1.21 resulted in fragmentary remains of *Equus sp.* (horse) at 21 feet below ground surface. A supplemental review of online museum collections records maintained by the UCMP returned no previously recorded vertebrate localities in the vicinity of the Project. However, the UCMP database maintains records for at least five vertebrate fossil locality records identified within unnamed Pleistocene deposits elsewhere in San Bernardino County. Recovered specimens include *Equus* (horse), *Lepus* (hare), *Hesperotestudo* (Western turtle), *Ovis canadensis* (bighorn sheep), *Camelops and Camelus* (camels), *Tanupolama stevensi* (llama), and *Canis dirus* (dog).

Faulting

The faulting and seismicity of southern California is dominated by the San Andreas Fault zone. The zone separates two of the major tectonic plates that comprise the earth's crust. The Pacific Plate lies west of the fault zone. This plate is moving in a northwesterly direction relative to the North American Plate, which lies east of the fault zone. This relative movement between the two plates is the driving force of fault ruptures in western California.

There are numerous faults in southern California that are categorized as active, potentially active, and inactive. A fault is classified as active by the state if it has either moved during the Holocene epoch (during the last 11,000 years) or is included in an Alquist-Priolo Earthquake Fault zone (as established by the California Geological Survey [CGS]). A fault is classified as potentially active if it has experienced movement within the Quaternary period (during the last 1.6 million years). Faults that have not moved in the last 1.6 million years generally are considered inactive. According to the San Bernardino County Countywide Plan, the Project site is not located within an Alquist-Priolo Earthquake Fault Zone.⁶ Based on the age of the geologic units surrounding the site, lack of geomorphic evidence such as lineaments, offset drainages or concentration of vegetation, and the distance to known active faults in the region, the risk of surface rupture at the site resulting from faulting is considered low.

Seismic Ground Shaking

The Project site is located in a seismically active region of southern California. The Project site can be expected to be subject to strong seismic shaking during its design life. Potential seismic hazards include ground shaking, and seismic settlement. Localized liquefaction and ground rupturing are not anticipated to be potential seismic hazards due to the depth to groundwater and the distance to the nearest active fault.

Additionally, ground shaking occurs when energy released during a fault rupture travels through subsurface rock, sediment, and soil materials, resulting in motion experienced at the ground surface. Ground shaking intensity varies with the magnitude of the earthquake, the distance from the earthquake epicenter, and the type(s) of geologic substrate the seismic waves move through. Depending on the level of ground motion and the stiffness of the soil, the ground shaking can amplify or de-amplify. Ground shaking is normally the major cause of damage in earthquakes, and the amount of damage generally correlates to the magnitude of the earthquake and proximity to the event's epicenter. The severity of an earthquake generally is expressed in two ways—magnitude and intensity. The energy released, as measured on the Moment Magnitude (MW) scale, represents the magnitude of an earthquake. The intensity of an earthquake is measured by the Modified Mercalli Intensity (MMI) scale, which emphasizes the seismic response at a subject site and measures ground shaking severity according to damage done to structures, changes in the earth surface, and personal accounts.

4.7.3 Regulatory Setting

Federal

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) established the National Earthquake Hazards Reduction Program (Program) which is coordinated through the Federal Emergency Management Agency (FEMA), the USGS, the National Science Foundation, and the National Institute of Standards and Technology. The purpose of the Congress in this Act is to reduce the risks of life and property from future

⁶ County of San Bernardino. 2020. *Countywide Plan; Map HZ-1 Earthquake Fault Zones*. <https://www.arcgis.com/apps/webappviewer/index.html?id=d88e2db7ee5649478d70e95c56b0d62d> (accessed November 2021).

earthquakes in the United States through the establishment and maintenance of an effective earthquake hazards reduction program.

The objectives of the program involve (1) the education of the public, including state and local officials, as to earthquake phenomena, the identification of locations and structures which are especially susceptible to earthquake damage, ways to reduce the adverse consequences of an earthquake, and related matters; (2) the development of technologically and economically feasible design and construction methods and procedures to make new and existing structures in areas of seismic risk earthquake resistant, giving priority to the development of such methods and procedures for power generating plants, dams, hospitals, schools, public utilities and other lifelines, public safety structures, high occupancy buildings, and other structures which are especially needed in time of disaster; (3) the implementation, to the greatest extent practicable, in all areas of high or moderate seismic risk, of a system (including personnel, technology, and procedures) for predicting damaging earthquakes and for identifying, evaluating, and accurately characterizing seismic hazards; (4) the development, publication, and promotion, in conjunction with state and local officials and professional organizations, of model building codes and other means to encourage consideration of information about seismic risk in making decisions about land-use policy and construction activity; (5) development, in areas of seismic risk, of improved understanding of, and capability with respect to, earthquake-related issues, including methods of mitigating the risks from earthquakes, planning to prevent such risks, disseminating warnings of earthquakes, organizing emergency services, and planning for reconstruction and redevelopment after an earthquake; (6) the development of ways to increase the use of existing scientific and engineering knowledge to mitigate earthquake hazards; and (7) the development of ways to assure the availability of affordable earthquake insurance.⁷

Occupational Safety and Health Administration Regulations

Excavation and trenching are among the most hazardous construction activities. The Occupational Safety and Health Administration's (OSHA) Excavation and Trenching standard, Title 29 of the Code of Federal Regulations (CFR), Part 1926.650, covers requirements for excavation and trenching operations. OSHA requires that all employers must ensure that workers enter trenches only after adequate protections are in place to address cave-in hazards to prevent or greatly reduce the risk of cave-ins and other excavation-related incidents. Other potential hazards associated with trenching work include falling loads, hazardous atmospheres, and hazards from mobile equipment.⁸

Soil and Water Resources Conservation Act

The purpose of the Soil and Water Resources Conservation Act of 1977 is to protect or restore soil functions on a permanent sustainable basis. Protection and restoration activities include prevention of harmful soil changes, rehabilitation of the soil of contaminated sites and of water contaminated by such

⁷ National Earthquake Hazards Reduction Program. 2008. *Earthquake Hazards Reduction Act of 1977*. <https://www.nehrp.gov/about/PL108-360.htm> (accessed September 2021).

⁸ Occupational Health and Safety Administration. 2015. *Trenching and Excavation Safety*. <https://www.osha.gov/sites/default/files/publications/osha2226.pdf#:~:text=Trenching%20and%20Excavation%20Safety%20%20Introduction%20Excavation%20and,contain%20requirements%20for%20excavation%20and%20trenching%20operations.%20This> (accessed September 2021).

sites, and precautions against negative soil impacts. Disruptions of natural soil functions should be avoided, as far as practicable. In addition, the Federal Water Pollution Control Act (also referred to as the Clean Water Act [CWA]) requirements, through the National Pollution Discharge Elimination System (NPDES) permitting process, provide guidance for protection of geologic and soil resources.

Paleontological Resources Preservation Act

The Paleontological Resources Preservation Act (PRPA) is part of the Omnibus Public Land Management Act of 2009 (Public Law 111-011 Subtitle D). The PRPA directs the Secretary of the Interior or the Secretary of Agriculture to manage and protect paleontological resources on federal land, and develop plans for inventorying, monitoring, and deriving the scientific and educational use of such resources. It prohibits the removal of paleontological resources from federal land without a permit issued under the PRPA, establishes penalties for violation of the PRPA, and establishes a program to increase public awareness about such resources. As of May 18, 2015, the U.S. Department of Agriculture has implemented a new rule that “provides for the preservation, management, and protection of paleontological resources on National Forest System (NFS) lands and ensures that these resources are available for current and future generations to enjoy as part of America’s national heritage. The rule addresses the management, collection, and curation of paleontological resources from NFS lands including management using scientific principles and expertise, collecting of resources with and without a permit, curation in an approved repository, maintaining confidentiality of specific locality data, and authorizing penalties for illegal collecting, sale, damaging, or otherwise altering or defacing paleontological resources”.

State

California Environmental Quality Act

The California Environmental Quality Act (CEQA) requires that public agencies and private interests identify the potential environmental consequences of their Projects on any object or site of significance to the scientific annals of California (Division I, California Public Resources Code [PRC] § 5020.1 [b]). Appendix G in § 15023 provides an Environmental Checklist of questions (PRC § 15023, Appendix G, Section VII, Part f) that includes the following: “Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?”

CEQA does not define “a unique paleontological resource or site.” However, the SVP has provided guidance specifically designed to support state and Federal environmental review. The SVP broadly defines significant paleontological resources as follows:

“Fossils and fossiliferous deposits consisting of identifiable vertebrate fossils, large or small, uncommon invertebrate, plant, and trace fossils, and other data that provide taphonomic, taxonomic, phylogenetic, paleoecologic, stratigraphic, and/or biochronologic information. Paleontological resources are considered to be older than recorded human history and/or older than middle Holocene (i.e., older than about 5,000 radiocarbon years).”

Significant paleontological resources are determined to be fossils or assemblages of fossils that are unique, unusual, rare, diagnostically important, or are common but have the potential to provide valuable scientific information for evaluating evolutionary patterns and processes, or which could improve our understanding of paleochronology, paleoecology, paleophylogeography, or depositional histories. New or unique specimens can provide new insights into evolutionary history; however, additional specimens of even well-represented lineages can be equally important for studying evolutionary pattern and process, evolutionary rates, and paleophylogeography. Even unidentifiable material can provide useful data for dating geologic units if radiometric dating is possible. As such, common fossils (especially vertebrates) may be scientifically important, and therefore considered significant.⁹

California Public Resources Code

Section 5097.5 of the PRC states:

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

As used in this PRC section, “public lands” means lands owned by, or under the jurisdiction of, the state or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, public agencies are required to comply with PRC § 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others.

2019 California Building Standards Code

The 2019 California Building Standards Code (CBSC) is part of the official compilation and publication of the California Code of Regulations (CCR), Title 24. The California Building Code (CBC) is part two of thirteen parts and applies to all applications for building permits. The purpose of the CBSC is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to firefighters and emergency responders during emergency operations.¹⁰

Given the regional susceptibility to seismic events, CBC’s seismic standards are heavily regarded by local agencies. CBC Chapter 16 addresses structural design requirements governing seismically resistant construction (CBC § 1604), including (but not limited to) factors and coefficients used to establish seismic site class and seismic occupancy category for the soil/rock at the building location and the proposed building design (CBC §§ 1613.5 through 1613.7). CBC Chapter 18 includes (but is not limited to) the

⁹ PaleoWest. 2022. *Paleontological Resource Assessment for the Speedway Commerce Center II Project, San Bernardino County, California*.

¹⁰ ICC Digital Codes. 2021. *2019 California Building Code, Title 24, Part 2 (Vol 1 & 2) with July 2021 Supplement*.
<https://codes.iccsafe.org/content/CBC2019P4> (accessed September 2021).

requirements for foundation and soil investigations (CBC Section 1803); excavation, grading, and fill (CBC § 1804); allowable load-bearing values of soils (CBC § 1806); and the design of footings, foundations, and slope clearances (CBC §§ 1808 and 1809), retaining walls (CBC § 1807), and pier, pile, driven, and cast-in-place foundation support systems (CBC § 1810). CBC Chapter 33 includes, but is not limited to, requirements for safeguards at worksites to ensure stable excavations and cut or fill slopes (CBC § 3304). Project construction and operations are subject to occupational safety standards as specified in California OSHA regulations (Title 8 of CCR) and Chapter 33 of the CBC.

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (PRC §§ 2621-2624, Division 2 Chapter 7.5) was passed in 1972 following the destructive 1971 San Fernando earthquake (magnitude 6.6), which damaged numerous structures due to extensive surface fault ruptures. The purpose of the act is to provide policies and criteria to assist cities, counties, and state agencies in the exercise of their responsibility to prohibit the location of developments and structures for human occupancy across the trace of active faults. Further, it is the intent of this chapter to provide the citizens of the state with increased safety and to minimize the loss of life during and immediately following earthquakes by facilitating seismic retrofitting to strengthen buildings, including historical buildings, against ground shaking.¹¹

Seismic Hazards Mapping Act of 1990

The Seismic Hazards Mapping Act (SHMA) of 1990 (PRC, Chapter 7.8, §§ 2690 - 2699.6) was passed by the legislature following the 1989 Loma Prieta earthquake. The SHMA directs the Department of Conservation, CGS, to identify and map areas prone to earthquake hazards of liquefaction, earthquake-induced landslides and amplified ground shaking. The purpose of the SHMA is to reduce threats to public safety and to minimize the loss of life and property by identifying and mitigating seismic hazards.

The SHMA also requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps) which are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Local agencies can be more restrictive than state law requires.¹² It should be noted, in the case of this Project, the Seismic Hazard Zone maps in which the Project site is mapped (Guasti and Fontana Quad Sheets) are currently unevaluated by the CGS. As such, the SHMA would not apply directly to the Project.

State Earthquake Protection Law

The state earthquake protection law (California Health and Safety Code [HSC] § 19100 et seq.) requires projects to be designed to resist stresses produced by heavy wind and earthquakes. Specific minimum seismic safety and structural design requirements are set forth in Chapter 16 of the CBC which identifies seismic factors that must be considered in structural design. Since the Project site is not located in an

¹¹ California Legislative Information. 1994. *Chapter 7.5. Earthquake Fault Zoning [2621 - 2630]*. https://leginfo.ca.gov/faces/codes_displayText.xhtml?division=2.&chapter=7.5.&lawCode=PRC (accessed September 2021).

¹² California Department of Conservation. ND. *Seismic Hazards Mapping Act*. <https://www.conservation.ca.gov/cgs/shma#:~:text=The%20Seismic%20Hazards%20Mapping%20Act%20%28SHMA%29%20of%201990,of%20liquefaction%2C%20earthquake-induced%20landslides%20and%20amplified%20ground%20shaking> (accessed September 2021).

Alquist–Priolo Earthquake Fault Zone, no special provisions would be required for Project development related to fault rupture.

Requirements for Geotechnical Investigations

Requirements for geotechnical investigations are included in CBC Appendix J, Grading, § J104; additional requirements for subdivisions requiring tentative and final maps and for other specified types of structures are in the California HSC § 17953 to 17955 and in CBC § 1803. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must be done as needed to evaluate site geology, slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness. CBC § J105 sets forth requirements for inspection and observation during and after grading.

Natural Hazards Disclosure Act

The Natural Hazards Disclosure Act (California Civil Code § 1103 et seq.), which became effective June 1, 1998, requires sellers (and their real estate agents) to disclose to prospective buyers when real estate property being sold is in an earthquake fault zone, seismic hazard zone, flood hazard zone, dam inundation area, or special fire hazard area. Disclosure can be achieved in one of two ways: 1) the Natural Hazards Disclosure Statement; or 2) the Local Option Real Estate Disclosure Statement as provided in § 1102.6 of the California Civil Code. When houses built before 1960 are sold, the seller must also give the buyer an earthquake hazards disclosure report and a copy of “The Homeowner’s Guide to Earthquake Safety” to inform the buyer of potential hazards and ways to address them. However, it is important to note that the Natural Hazards Disclosure Act does not invalidate a property sale based on a failure to comply with the above requirements. Therefore, prospective homebuyers should ensure that real estate disclosure requirements are adhered to during the purchase process.

Storm Water Pollution Prevention Plans

Pursuant to the CWA, in 2012, the State Water Resources Control Board (SWRCB) issued a statewide general NPDES Permit for stormwater discharges from construction sites (NPDES No. CAS000002). Under this Statewide General Construction Activity permit, discharges of stormwater from construction sites with a disturbed area of one or more acres are required to either obtain individual NPDES permits for stormwater discharges or be covered by the General Permit. Coverage by the General Permit is accomplished by completing and filing a Notice of Intent with the SWRCB and developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). Each Project Applicant (Master Developer and/or Site Developer, as applicable) under the General Construction Activity Permit must ensure that a SWPPP is prepared prior to grading and is implemented during construction. The SWPPP must list best management practices (BMPs) implemented on the construction site to protect stormwater runoff and must contain a visual monitoring program; a chemical monitoring program for “non-visible” pollutants to be implemented if there is a failure of BMPs; and a monitoring plan if the site discharges directly to a water body listed on the state’s 303(d) list of impaired waters.

General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities

A SWPPP prepared in compliance with a NPDES permit under the authority of the local Regional Water Quality Control Board (RWQCB) and State Water Resources Control Board (SWRCB) describes the Project area, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of post construction sediment and erosion control measures and maintenance responsibilities, and non-stormwater management controls. Dischargers are also required to inspect construction sites before and after storms to identify stormwater discharge from construction activity, and to identify and implement controls where necessary.

Municipal Separate Storm Sewer System Permit

In 2010, the Santa Ana RWQCB issued a municipal separate storm sewer system (MS4) permit and waste discharge requirements (R8-2010-0033 and NPDES No. CAS 618033) to the San Bernardino County Permittees. Under this Permit, the County is required to enforce and comply with storm water discharge requirements pursuant to the Clean Water Act, the Porter-Cologne Water Quality Control Act, applicable state, and federal regulations (including policies of the SWRCB), the Santa Ana River Basin Water Quality Control Plan (Basin Plan), and the California Toxics Rule Implementation Plan.

The MS4 Permittees and Principal Permittee (San Bernardino County Flood Control District) are required to develop several items that generally reduce pollutants in urban runoff to the maximum extent practicable (MEP). This includes “Local Implementation Plans” describing the enforceable elements of an agency’s urban runoff compliance program, as well as a “Watershed Action Plan” and “Hydromodification Management Plan” to address impacts from urbanization. Likewise, a “Drainage Area Management Plan” is periodically updated by the principal permittee to document MS4 permit compliance programs and to provide guidance to co-permittees for Local Implementation Plans. In addition, the “Consolidated Monitoring Program” defines the monitoring locations and methods to evaluate best management practices (BMP) effectiveness. Lastly, the MS4 permit requires a “Water Quality Management Plan” (WQMP) for most new development and certain redevelopment projects. Like the construction SWPPP, the WQMP identifies how site design elements, source control methods and treatment control BMPs in the post-construction phase would minimize pollutant loads to the municipal storm drain in the long-term.

Eligible projects submitted to the County are required to provide a project-specific WQMP prior to the first discretionary project approval or permit. Project Applicants (Master Developer and/or Site Developer, as applicable) may submit a preliminary project-specific WQMP for discretionary project approval (land use permit); however, a final version would be submitted for review and approval prior to the issuance of any grading or building permits.

Local

The Countywide Plan

The following goal and policies from The Countywide Plan's Hazards Element¹³ are relevant to the Project:

- Goal HZ-1** **Natural Environmental Hazards. Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by natural environmental hazards and adaptation to potential changes in climate.**
- Policy HZ-1.1** **New subdivisions in environmental hazard areas.** We require all lots and parcels created through new subdivisions to have sufficient buildable area outside of the following environmental hazard areas:
- Flood: 100-year flood zone, dam/basin inundation area
 - Geologic: Alquist Priolo earthquake fault zone; County-identified fault zone; rockfall/debris-flow hazard area, existing and County-identified landslide area
- Policy HZ-1.2** **New development in environmental hazard areas.** We require all new development to be located outside of the environmental hazard areas listed below. For any lot or parcel that does not have sufficient buildable area outside of such hazard areas, we require adequate mitigation, including designs that allow occupants to shelter in place and to have sufficient time to evacuate during times of extreme weather and natural disasters.
- Flood: 100-year flood zone, dam/basin inundation area
 - Geologic: Alquist Priolo earthquake fault zone; County-identified fault zone; rockfall/debris-flow hazard area, medium or high liquefaction area (low to high and localized), existing and County-identified landslide area, moderate to high landslide susceptibility area)
 - Fire: high or very high fire hazard severity zone
- Policy HZ-1.7** **Underground utilities.** We require that underground utilities be designed to withstand seismic forces, accommodate ground settlement, and hardened to fire risk.
- Policy HZ-1.8** **Wind erosion hazards.** We require new development in medium-high or high wind erosion hazard areas to minimize the effects of wind-blown soil through building and site design features such as fencing, surface treatment or pavement, attenuation or wind barriers, architectural features, building materials, and drought resistant landscaping.
- Policy HZ-1.9** **Hazard areas maintained as open space.** We minimize risk associated with flood, geologic, and fire hazard zones or areas by encouraging such areas to be preserved and maintained as open space.

¹³ County of San Bernardino. 2020. *The Countywide Plan, Hazards Element*. <http://countywideplan.com/policy-plan/beta/hz/> (accessed September 2021).

The following goal and policy from The Countywide Plan's Natural Resources Element¹⁴ is relevant to the Project:

Goal NR-2 **Water Quality. Clean and safe water for human consumption and the natural environment.**

Policy NR-2.5 **Stormwater discharge.** We ensure compliance with the County's Municipal Stormwater NPDES (National Pollutant Discharge Elimination System) Permit by requiring new development and significant redevelopment to protect the quality of water and drainage systems through site design, source controls, stormwater treatment, runoff reduction measures, best management practices, low impact development strategies, and technological advances. For existing development, we monitor businesses and coordinate with municipalities.

The following goal and policy from The Countywide Plan's Cultural Resources Element¹⁵ are relevant to the Project:

Goal CR-2 **Historic and Paleontological Prehistoric Resources. Historic resources (buildings, structures, or archaeological resources) and paleontological resources that are protected and preserved for their cultural importance to local communities as well as their research and educational potential.**

Policy CR-2.3 **Paleontological and archaeological resources.** We strive to protect paleontological and archaeological resources from loss or destruction by requiring that new development include appropriate mitigation to preserve the quality and integrity of these resources. We require new development to avoid paleontological and archeological resources whenever possible. If avoidance is not possible, we require the salvage and preservation of paleontological and archeological resources.

San Bernardino County Code of Ordinances

The CBSC (CCR Title 24) is a compilation of codes and standards for electrical, mechanical, plumbing, fire, design, and other structural features. The CBC contained within the CBSC is updated every three years with the latest advances in building technology and practices recommended by the International Code Council. Every local government is required by state law to adopt the CBC within 180 days of publication. The County has adopted the most recent 2019 update of the CBC.

State law permits jurisdictions to amend state building codes to address local geographic, topographic, or climatic conditions. The California Building Standards Commission publishes all code amendments adopted by local agencies. The County amended the 2019 CBC for administrative provisions and included excavation and grading requirements that were not in the original 2019 CBC. No other local amendments were made, although other cities in the county may have adopted more restrictive amendments.

In addition to the Alquist-Priolo Earthquake Fault Zones designated by the state, the County has designated County Fault Hazard Zones for particular faults not addressed by the state. The County Fault

¹⁴ County of San Bernardino. 2020. *The Countywide Plan, Natural Resources Element*. <http://countywideplan.com/policy-plan/beta/nr/> (accessed September 2021).

¹⁵ County of San Bernardino. 2020. *The Countywide Plan, Cultural Resources Element*. <http://countywideplan.com/policy-plan/beta/ch/> (accessed September 2021).

Hazard Zones also average about a quarter mile in width around the surface traces of county-recognized active faults. In general, construction within a County Fault Hazard Zone requires a fault investigation prior to issuing grading and building permits. Title 8 of the County Code, Chapter 82.15.040 (a), seeks to prevent construction or major rehabilitation of structures used for human occupancy within 50 feet of an active fault. Chapter 82.15.040(b) of the Code requires that structures used for critical facilities be located at least 150 feet from any active fault trace.

4.7.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines, Appendix G, has been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 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 California Geological Survey Special Publication 42.
 - Strong seismic ground shaking.
 - Seismic-related ground failure, including liquefaction.
 - Landslides.
- Result in substantial soil erosion or the loss of topsoil;
- 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;
- 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;
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater; or
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Methodology and Assumptions

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

Approach to Analysis

This analysis of impacts on geological and soil resources examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. For each criterion, the analyses are generally divided into two main categories: (1) temporary impacts and (2) permanent impacts. Each criterion is discussed in the context of Project components that share similar characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on the Geotechnical Study prepared by Kleinfelder; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on geological and soil resources considers the available policies and regulations established by state and regional agencies and the Project's degree of deviation from these policies.

4.7.5 Impacts and Mitigation Measures

Impact 4.7-1 *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

Level of Significance: Less than Significant Impact

Construction and Operations

According to the Geotechnical Study prepared for this Project, the Project site is not within an Alquist-Priolo Earthquake fault zone and there was no evidence of faulting identified during the investigation. However, the Project site is located close to several active faults where historic seismic activities have been observed in the past. The nearest fault to the Project site is the Fontana (Seismicity) fault located approximately 0.5-mile to the southeast of the site. Other nearby major fault sources include the Cucamonga fault, the San Jacinto (Lytle Creek connector) fault, the San Jacinto fault zone, and the South San Andreas fault zone.¹⁶ The Project site's distance from the nearest fault line would minimize risks attributed to ground surface rupture. Therefore, the impacts associated with the surface rupture of a known fault would be less than significant, and no mitigation would be required. **Table 4.7-1: Nearby Fault Lines and Fault Zones**, summarizes the nearest fault zones and fault lines to the Project.

¹⁶ Kleinfelder. 2021. *Preliminary Report of Geotechnical Study Proposed Speedway Commerce Center II, County of San Bernardino, California*. Page 156.

Table 4.7-1: Nearby Fault Lines and Fault Zones

Name	Type	Alquist-Priolo?	Distance from Site	Direction from Site
Fontana Fault	Subsurface Feature	No	0.5 miles	Southeast
Cucamonga Fault	Fault Line	Yes	6.5 miles	North
San Jacinto Fault	Fault Line	Yes	7.0 miles	Northeast
San Jacinto Fault Zone	Fault Zone	No	9.0 miles	Northeast
South San Andreas Fault Zone	Fault Zone	No	11.9 miles	Northeast
Sources: Kleinfelder. 2021. <i>Preliminary Report of Geotechnical Study Proposed Speedway Commerce Center II, County of San Bernardino, California</i> . Page 156.				

In addition, each future building and Project component constructed would be designed and constructed in conformance with all applicable standards governing such development and would use the latest CBCs, as adopted by the Building Standards Commission, to minimize impacts from seismic activity. The Building Standards Commission performs all functions relating to the adoption and publication of the CBC in Title 24 of the CCR prescribed by the California Building Standards Law in HSC, Division 13, Part 2.5, commencing with § 18901. The Project site is not located within or adjacent to an active fault line or Alquist-Priolo Fault zone and would be designed in accordance with the latest federal and state building standards. The Project would not cause or exacerbate adverse effects related to rupture of an earthquake fault, nor from fault ruptures. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.7-2 *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

ii) Strong seismic ground shaking?

Level of Significance: Less than Significant Impact

Construction and Operations

Southern California is considered a seismically active region and the vicinity of the area being evaluated contains a number of known earthquake faults. As part of the Geotechnical Study, 2019 CBC design parameters were generated for the proposed buildings within the Project site. These design parameters ensure that proper building design is possible to reduce any risk of structure failure during a strong seismic ground shaking event. Structures for human occupancy must be designed to meet or exceed the CBC standards for earthquake resistance. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock on-site, and the strength of ground motion with a specified probability at the site. Therefore, the Project would not cause or exacerbate adverse effects related to seismic shaking and future development of habitable structures within the Project site would be conducted in accordance with the 2019 CBC Seismic Design Parameters generated as part of the Geotechnical Study, which would reduce impacts from seismic ground shaking to a less than significant level.

Mitigation Measures

No mitigation is necessary.

Impact 4.7-3 *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

iii) Seismic-related ground failure, including liquefaction?

Level of Significance: Less than Significant Impact

Construction and Operations

The term liquefaction describes a phenomenon in which saturated, cohesionless soils temporarily lose shear strength (liquefy) due to increased pore water pressures induced by strong, cyclic ground motions during an earthquake. The primary factors which influence the potential for liquefaction include groundwater table elevation, soil type and plasticity characteristics, relative density of the soil, initial confining pressure, and intensity and duration of ground shaking. Structures founded on or above potentially liquefiable soils may experience bearing capacity failures due to the temporary loss of foundation support, vertical settlements, and undergo lateral spreading. The cohesionless soils most susceptible to liquefaction are loose, saturated sands, and some silt. Liquefaction potential under the Project site is low due to the depth of groundwater and the mix of soil type is not considered to be a design concern for the Project. As explained earlier, the Project site is not located within an area of the County with susceptibility for liquefaction and therefore, would not cause or exacerbate adverse effects related to seismic-related ground failure. Furthermore, on-site subsurface conditions encountered by Kleinfelder at the boring and trench locations indicate that liquefaction would not be considered a design concern for the Project. See **Figure 4.7-1** for boring and trench locations. Following these design parameters and all relevant building codes would reduce any potential issues due to liquefaction and no mitigation measures would be necessary. Impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.7-4 *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

iv) Landslides?

Level of Significance: Less than Significant Impact

Construction and Operations

Landslides and other forms of mass wasting, including mud flows, debris flows, soil slips, and rock falls occur as soil or rock moves down slope under the influence of gravity. Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. The susceptibility of a geologic unit to landslides is dependent upon various factors, primarily: 1) the presence and orientation of weak structures, such as fractures, faults, and joints; 2) the height and steepness of the pertinent natural or cut slope; 3) the presence and quantity of groundwater; and 4) the occurrence of strong seismic

shaking. The Project site has a gentle slope running generally to the southwestern portion of the Project site and no extreme elevation differences exist in or around the Project site that would potentially lead to landslide effects. Therefore, the risk of landslides impacting the Project site is considered low to negligible since the Project's topography does not contain steep slopes. Furthermore, according to the San Bernardino County Geologic Hazard map, the Project site and the immediate area are not within a zone of generalized landslide susceptibility. The Project area is also outside of the hazard zone for rockfall/debris-flow, and the site is not surrounded by steep topography with exposed rock-cropping or boulders.¹⁷

Compliance with the standards in the current CBC would require an assessment of hazards related to and the incorporation of design measures into structures to mitigate this hazard if development were considered feasible. The County requires provisions to grading and development on or near hillsides. The County has included standards within its Grading and Erosion Control Guidance plan to minimize the risk of injury, loss of life, and property damage caused by earthquake hazards or geologic disturbances.¹⁸ Thus, compliance with CBC regulations and the County's Grading and Erosion Control Guidance plan, which seeks to control the grading of land, to minimize potential for erosion, landslides, and other forms of land failure, would reduce impacts. Implementation actions would reduce impacts related to landslides to a less than significant and no mitigation is necessary. Therefore, impacts associated with landslides would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.7-5 Would the project result in substantial soil erosion or the loss of topsoil?

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction

The Project site was found to contain artificial fill material at depths of up to 13 feet below ground surface and native alluvial soils at depths of up to 51.5 feet below ground surface. The artificial fill soils were observed at nearly all boring locations to various depths, with an average depth of 5 feet bgs.¹⁹ The artificial fill soils that were encountered were found to contain construction debris, such as concrete, brick, and steel slag. Kleinfelder determined as part of its Geotechnical Study that the artificial fill can sustain and support the Project as planned. However, Kleinfelder recommended that building foundations should be supported on engineered fill. Additionally, prior to general site grading, existing vegetation, organic topsoil, debris, and oversized materials may be stripped and disposed off-site outside the construction limits. The Project site is currently primarily covered with pavement and impervious surfaces,

¹⁷ County of San Bernardino. 2010. *San Bernardino County Land Use Plan General Plan Geologic Hazard Overlays*. San Bernardino, CA: County of San Bernardino. http://www.sbcounty.gov/Uploads/lus/GeoHazMaps/EHFHC_20100309new.pdf (accessed November 2021).

¹⁸ County of San Bernardino. 2021. *Grading and Erosion Control Guidance*. <https://cms.sbcounty.gov/lus/LandDevelopment/GradingandErosionControl.aspx> (accessed April 2022).

¹⁹ Kleinfelder. 2021. *Preliminary Report of Geotechnical Study: Proposed Speedway Commerce Center II; Page 6*.

but any existing organic topsoil would be removed and preserved and properly handled to maintain availability of organically viable topsoil within the Project vicinity.

The construction of the Project would involve excavation activities that would affect surface and near surface soils. Over-excavation of the Project would be implemented to remove any oversized artificial fill particles (maximum material size of six inches in dimension) within the upper three feet. Additionally, in areas of cut, over-excavation and re-compaction would be extended where necessary so that pavements and truck aprons are underlain by at least 18 inches of engineered fill. In addition to the excavation and removal of the fill material, the development of the Project would require grading preparation, excavation, trenching and paving activities that could result in soil erosion if exposed to periods of high wind or storm-related events. Dust control measures such as watering would be utilized to control the potential for erosion to occur. Construction contractors would also be required to implement a dust control plan in compliance with South Coast Air Quality Management District Rule 403 to reduce wind erosion (further information about dust control can be found in **Section 4.3: Air Quality** of this EIR).

Additionally, as previously discussed, the Project site was once part of the former Kaiser Steel facility and debris found during demolition would include commonly found structural components as well as potentially contaminated soils due to the Project site's history. The impacts of this contaminated soil are discussed in **Section 4.9: Hazards and Hazardous Materials**. During grading, if contamination associated with the former Kaiser Steel Mill is discovered, then all excavation and grading work shall stop, and the proper authorities shall be immediately notified. Construction in the area shall remain stopped for the period of time needed for authorities, including the DTSC to assess potential risk and, if necessary, provide for appropriate disposal or remediation of hazardous waste.

Construction activities for the Project, such as excavation and grading would be performed in phases with buildout consistent with the Specific Plan. Construction including excavation, grading, and earthwork activities for the installation of all infrastructure including streets, storm drains, water and sewer to support buildout of the Specific Plan area will be constructed with each phase or Planning Area and maybe constructed in the one phase if necessary, during construction activities. During construction, the Project would be required to comply with erosion and siltation control measures. This would include an erosion control plan with measures such as sand-bagging, placement of silt fencing, erosion control blankets, straw wattles, mulching, etc., to reduce runoff from the site and to hold topsoil in place during all grading activities. As mass grading proceeds, finish grading commences and building construction begins, the erosion control measures would be removed or relocated as necessary. Construction contractors would also be required to create a dust control plan in compliance with South Coast Air Quality Management District Rule 403 to further reduce wind erosion. Additionally, the construction on the Project site would be required to comply with NPDES permitting requirements; refer to **Section 4.10: Hydrology and Water Quality** for discussion of the anticipated NPDES permitting process.

Construction impacts on the Project site would be minimized through compliance with the NPDES Construction General Permit (CGP), which requires development and implementation of a SWPPP and monitoring plan, which must include erosion-control and sediment-control BMPs. The BMPs would be required to meet or exceed CGP requirements to control potential construction-related erosion or sediment impacts. Erosion-control BMPs are designed to prevent erosion, whereas sediment controls are

designed to trap sediment once it has been mobilized. All permits required for construction, including the CGP that requires the erosion control plan and SWPPP, would be verified by the County prior to initiation of any construction and prior to the issuance of any grading permits. These plan reviews and code compliance checks, while required by County Code, are further required by **MM GEO-1**, which details the requirement of plan review by County Staff. County Staff will review plans for compliance with all applicable development code requirements including but not limited to Titles 6 and 8 of the County Code of Ordinances. Conformance to these requirements and verification by the County as part of the development approval process would ensure that potential impacts from construction of the Project would be reduced. Therefore, with implementation of recommended remedial grading, dust control plan (in accordance with Rule 403), SWPPP requirements and **MM GEO-1**, impacts regarding substantial soil erosion and loss of topsoil would be less than significant with mitigation incorporated.

Note that demolition, grading, and earthwork associated with demolition of the existing 2-mile oval racetrack and construction of the Next Gen motorsports facility was evaluated under a previous entitlement approval and CEQA evaluation for the separate Next Gen Project, and previously adopted mitigation measures will apply to that work. Furthermore, relocation of utilities (underground and overhead), construction of new roads, and impacts associated with construction of the new facility within the demolition and development area was evaluated under the EIR Addendum for the Next Gen motorsport facility.

Operations

The Project's operational activity is not anticipated to damage or result in the loss of topsoil/sedimentation into local drainage facilities and water bodies. Following construction, the Project site would be covered with hardscape which would not contribute to erosion. The Project site also would contain some landscaping, but these areas would include ground covers to reduce erosion and loss of on-site soils post-construction. Operation activities (i.e., landscape maintenance) would be subject to the BMPs set in the Project's SWPPP and WQMP that would prevent soil erosion or loss of topsoil (refer to **Section 4.10: Hydrology and Water Quality** of this EIR). A network of storm drains and gutters would be installed, upgraded if needed, and maintained as necessary throughout the developed site. The implementation of the Project's SWPPP, WQMP, and maintenance of the on-site storm drains and gutters would ensure that operation of the Project site would not result in the loss of topsoil or sedimentation into local drainage facilities. Therefore, a less than significant impact would occur with operation of the Project.

Mitigation Measures

MM GEO-1 Prior to the issuance of any grading permit or building permit, County Staff shall review all Project plans involving grading, foundation, structural, infrastructure, and all other relevant construction to ensure compliance with the applicable recommendations from the Preliminary Report of Geotechnical Study Proposed Speedway Commerce Center II, and the California Building Code requirements to minimize soil erosion or the loss of topsoil. Specific design considerations as outlined in the Preliminary Report of Geotechnical Study Proposed Speedway Commerce

Center II, included in **Appendix G** shall be implemented in the Project construction plans to minimize the risk for soil erosion.

Impact 4.7-6 *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction and Operations

The Project site is not included within an Earthquake Fault Zone as identified by the Alquist-Priolo Earthquake Fault Zoning Act. However, the Project site is in a seismically active area and located near an active fault zone. The Project would be designed in accordance with applicable state and local design standards to withstand effects from strong seismic ground-shaking and would implement geotechnical design considerations pursuant to the Preliminary Report of Geotechnical Study, including **MM GEO-1** to ensure that the Project is not subject to collapse. As discussed for Impact 4.7-1 through 4.7-4, the Project site and the surrounding area is relatively flat and/or developed which indicates that the Project would not be susceptible to landslides nor cause significant erosion that would result in a landslide.

As discussed under Impact 4.7-3, above, the primary factors which influence the potential for liquefaction include shallow groundwater table elevation, soil type and plasticity characteristics, relative density of the soil, initial confining pressure, and intensity and duration of ground shaking. Therefore, liquefaction and landslides are not considered to be a design concern for the Project, and potential for lateral spreading would be low to negligible since the Project's topography does not contain steep slopes and the Project site and the immediate area are not within a zone of generalized landslide susceptibility. The Project area is also outside of the hazard zone for rockfall/debris-flow, thus the site is not surrounded by steep topography with exposed rock-cropping or boulders.

The major cause of ground subsidence is the excessive withdrawal of groundwater. Based on the conditions encountered in the borings and trenches conducted for the Geotechnical Study, groundwater was not observed within approximately 50 feet of the ground surface and is estimated to be at a depth greater than 400 feet below ground surface, according to the Kleinfelder Preliminary Report of Geotechnical Study. The Project does not propose or require additional groundwater wells within the area and therefore the risk of ground subsidence as result of excessive groundwater withdrawal is low. Additionally, based on anticipated groundwater depths, it is not expected that groundwater would affect excavations for the foundations and utilities and subsidence is unlikely due to the distance to groundwater. Furthermore, all structures would comply with CBC requirements to mitigate the possibility of subsidence.

The Project site location is outside of a landslide and liquefaction susceptibility area. In addition, the Project will comply with seismic design parameters recommended by Kleinfelder and in accordance with the 2019 CBC, and **MM GEO-1** and **MM GEO-2** will be implemented. Therefore, the Project would not create or cause adverse effects on the geologic environment within the Project site or surrounding area. Impacts related to unstable soils, landslide, lateral spreading, subsidence, liquefaction or collapse would

be less than significant with mitigation incorporated. See impact discussions 4.7-1 through 4.7-4 for further discussion.

Mitigation Measures

MM GEO-1 would be applied.

MM GEO-2 **Undocumented Fill.** Engineered fill shall primarily be utilized on-site to support the proposed improvements. If existing artificial fill will be used, the documentation of the placement of any engineered fill shall be reviewed by a professional engineer or geologist to conclude that the existing artificial fill on-site is acceptable to support all proposed improvements. If, during construction, undocumented artificial fill is detected on-site in excavated areas, or the quality of undocumented artificial fill is determined to be unacceptable, then the undocumented artificial fill shall be removed and replaced with engineered fill. A professional geologist or engineer shall observe the fill during excavation and evaluate the condition of the fill at the elevation of the proposed foundations to ensure conformance with all applicable recommendations in the Preliminary Report of Geotechnical Study Proposed Speedway Commerce Center II.

Impact 4.7-7 *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?*

Level of Significance: Less than Significant Impact

Construction and Operations

Expansive soils are soils that expand and contract depending on their moisture level. This change can occur seasonally as water levels and precipitation changes throughout the year. These soils normally occur within the first five feet below the surface. Expansive soils can lead to structural damage as their compositions and volume changes dramatically. The near-surface soils encountered during the field study for the Geotechnical Study investigation consisted of artificial fill and interbedded sands with varying silt content, gravel, and cobbles. Those materials are classified as low to non-expansive. As such, the Geotechnical Study does not anticipate expansive soils to adversely impact the design, construction, or operation of the Project. Therefore, the Project site would not be impacted by significant soil expansion and a less than significant impact would occur.

Mitigation Measures

No mitigation is necessary.

Impact 4.7-8 *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

Level of Significance: No Impact

Construction and Operations

No septic tanks or other alternative wastewater disposal systems are proposed. The Project proposes connecting to the public sewer mains and relying on the Inland Empire Utilities Agency (IEUA) for wastewater services. Water and wastewater systems and their development are further discussed in **Section 4.19: Utilities and Service Systems** of this EIR. No impact would occur.

Mitigation Measures

No mitigation is necessary.

Impact 4.7-9 *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction and Operations

A paleontological resource assessment was prepared for the Project to review the susceptibility of subsurface geologic units to provide paleontological resources as well as to review records for fossil localities near the Project site. No paleontological resources or unique geologic formations were identified on the Project site during the field survey.

Previous construction of the existing development on the Project site required a high amount of ground disturbance. Specifically, the infield of the ACS and grandstand areas required extensive over excavation and subsequent compaction. Large quantities of fill were also placed around the perimeter of the track to create the raised outer bank of the track. Therefore, according to PaleoWest's PRA, ground disturbance into this artificial fill (Qaf) would not require paleontological monitoring, unless disturbance to a depth below the fill and native sediment (Qyf₅ or Qf) is encountered in accordance with **MM GEO-4**.

Shallow excavations (approximately five feet in depth or less) into Young alluvial-fan deposits (Qyf₅) and Very young alluvial fan deposits (Qf) are unlikely to yield any significant paleontological resources, as late Holocene deposits are too young to contain fossils, and therefore possess low sensitivity. As a result, no impacts to paleontological resources would occur from earth-moving activities at shallow depths at the Project site. However, deeper excavations into Qyf₅ and Qf may extend down into older, high sensitivity Pleistocene sediments. Pleistocene deposits underlying the Project area at depth are considered to have a high paleontological sensitivity because they have proven to yield significant paleontological resources (i.e., identifiable vertebrate fossils). Ground disturbing activities exceeding depths of five feet into Qyf₅ and Qf could potentially impact paleontological resources and should be monitored by a qualified paleontological monitor to identify and effectively salvage any recovered resources while minimizing discovery-related delays.

While no significant paleontological resources are expected to occur, the Master Developer or the Site Developer would utilize the services of a Project paleontologist to prepare a Paleontological Resources Mitigation and Monitoring Plan (PRMMP) and to monitor ground disturbance activities exceeding depths of five feet and in the case of any inadvertent discoveries if required. The provisions described in

MM GEO-3 through **MM GEO-6** would further reduce the impact of the Project on paleontological resources or unique geologic features to less than significant impact levels with mitigation incorporated.

Therefore, if the Project plans include excavations that extend five or more feet in depth into Qyf₅ and Qf, then a qualified paleontologist shall be retained to implement the mitigation measures. With the implementation of **MM GEO-3** through **MM GEO-6**, and County staff review of the Project's grading and excavation plans, potential impacts associated with paleontological resources would be less than significant. Therefore, no significant unavoidable impacts relating to paleontological resources have been identified.

Mitigation Measures

MM GEO-3 **Worker's Environmental Awareness Program (WEAP).** Prior to the start of ground-disturbing activities, all field personnel shall receive a worker's environmental awareness training on paleontological resources. The training shall provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the Project area, the role of the paleontological monitor, and outline steps to follow in the event that a fossil discovery is made. Contact information for the Project Paleontologist shall also be provided. The training shall be developed by the Project Paleontologist and can be delivered concurrent with other required training including cultural, biological, safety, etc.

MM GEO-4 **Paleontological Mitigation Monitoring.** Prior to the commencement of ground-disturbing activities, a professional paleontologist shall be retained to prepare and implement a Paleontological Resources Mitigation and Monitoring Plan (PRMMP) for the proposed Project. The PRMMP will describe the monitoring required during excavations that extend into Pleistocene sediment (i.e., excavations greater than five feet in depth in Qyf₅ and Qf sediments), and the location of any areas deemed to have a high paleontological resource potential. Monitoring shall entail the visual inspection of excavated or graded areas and trench sidewalls. If the Project Paleontologist determines full-time monitoring is no longer warranted, based on the geologic conditions at depth, he or she may recommend to County staff that monitoring be reduced or cease entirely.

MM GEO-5 **Fossil Discoveries.** In the event that a paleontological resource is discovered, the paleontological monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the Project Paleontologist shall complete the following:

1. **Salvage of Fossils.** If fossils are discovered, all work in the immediate vicinity shall be halted to allow the paleontological monitor, and/or Project Paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the Project Paleontologist (or paleontological monitor) should recover them following standard field procedures for collecting paleontological resources as outlined in

the PRMMP prepared for the project. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the Project Paleontologist has the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.

2. **Fossil Preparation and Curation.** The PRMMP shall identify the museum that has agreed to accept fossils that may be discovered during project-related excavations. Upon completion of fieldwork, all significant fossils collected shall be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossil specimens shall be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens shall be delivered to the accredited museum or repository no later than 90 days after all fieldwork is completed. The cost of curation will be assessed by the museum and will be the responsibility of the Master Developer and/or Site Developer, as applicable.

MM GEO-6 Final Paleontological Mitigation Report. Upon completion of ground disturbing activity (and curation of fossils if necessary) the Project Paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, the scientific significance of those fossils, and where the fossils were curated.

4.7.6 Cumulative Impacts

As discussed above, the southern California region is prone to seismic activity with a range of geologic and soil conditions which vary widely due to differences in landforms and proximity to fault zones. Therefore, while geotechnical and soil impacts may be associated with cumulative development, the very nature of the impacts is generally site-specific and typically little, if any, cumulative relationship exists between the development of a project and development within a larger cumulative area. Like the Project, future development projects would be required to comply with applicable state and regional building regulations, including the most recent CBC. Site-specific geologic hazards would be addressed in each project's geotechnical investigation. In addition, the County may also require even more rigorous standards depending on an individual project site's condition. Further, future developments would be required to comply with environmental analysis and review. Therefore, no significant cumulative impact would occur.

Additionally, other projects in the area would involve ground disturbance and could damage paleontological resources that could be buried in those project sites. As with the Project, other projects would require site specific paleontological analysis that could lead to mitigation requiring monitoring and recovery, identification, and curation of any resources discovered.

In this case, buildout of the Project would not alter geologic events or soil features/characteristics (such as ground shaking, seismic intensity, or soil expansion). In addition, the Project would not be expected to significantly alter any paleontological resource with the implementation of mitigation measures listed above. Therefore, the Project would not expose people to greater seismic hazards nor significantly impact any paleontological resources, while other project developments located near seismic faults would differ in impacts.

Current building codes and regulations apply to all present and reasonably foreseeable future projects. Further, the Project's compliance with the current CBC, County building code requirements, and General Plan policies would ensure that potential geology and soil impacts are reduced to a level that is less than significant. Cumulative impacts to paleontological resources would be less than significant, and the Project's contribution would not be cumulatively considerable.

4.7.7 Significant Unavoidable Impacts

No significant and unavoidable impacts concerning geological and soil resources have been identified.

4.7.8 References

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4.8 GREENHOUSE GAS EMISSIONS

4.8.1 Introduction

This section of the EIR discusses potential greenhouse gas (GHG) impacts associated with the development of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project). Consideration of the Project's consistency with applicable plans, policies, and regulations, as well as the introduction of new sources of GHGs, is included in this section. In the case where impacts are found to be potentially significant, mitigation will be proposed to reduce their significance. The following GHG technical report, as well as GHG emission modeling results for the Project, are provided in **Appendix H: Greenhouse Gas Emissions Assessment**.

- Kimley-Horn and Associates, Inc. (2022). *Greenhouse Gas Emissions Assessment*.

4.8.2 Environmental Setting

Greenhouse Gases and Climate Change

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

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

GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants (TACs), which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one to several thousand years). GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe. Although the exact lifetime of a GHG molecule is dependent on multiple variables and cannot be pinpointed, more CO₂ is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, or other forms of carbon sequestration. Of the total annual human-caused CO₂ emissions,

approximately 55 percent is sequestered through ocean and land uptakes every year, averaged over the last 50 years, whereas the remaining 45 percent of human-caused CO₂ emissions remains stored in the atmosphere.¹ **Table 4.8-1, Description of Greenhouse Gases**, describes the primary GHGs attributed to global climate change, including their physical properties.

Table 4.8-1: Description of Greenhouse Gases

Greenhouse Gas	Description
Carbon Dioxide (CO ₂)	CO ₂ is a colorless, odorless gas that is emitted naturally and through human activities. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood. The largest source of CO ₂ emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, and industrial facilities. The atmospheric lifetime of CO ₂ is variable because it is readily exchanged in the atmosphere. CO ₂ is the most widely emitted GHG and is the reference gas (Global Warming Potential of 1) for determining Global Warming Potentials for other GHGs.
Nitrous Oxide (N ₂ O)	N ₂ O is largely attributable to agricultural practices and soil management. Primary human-related sources of N ₂ O include agricultural soil management, sewage treatment, combustion of fossil fuels, and adipic and nitric acid production. N ₂ O is produced from biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N ₂ O is approximately 120 years. The Global Warming Potential of N ₂ O is 298.
Methane (CH ₄)	CH ₄ , a highly potent GHG, primarily results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Methane is the major component of natural gas, about 87 percent by volume. Human-related sources include fossil fuel production, animal husbandry, rice cultivation, biomass burning, and waste management. Natural sources of CH ₄ include wetlands, gas hydrates, termites, oceans, freshwater bodies, non-wetland soils, and wildfires. The atmospheric lifetime of CH ₄ is about 12 years and the Global Warming Potential is 25.
Hydrofluorocarbons (HFCs)	HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is increasing, as the continued phase out of CFCs and HCFCs gains momentum. The 100-year Global Warming Potential of HFCs range from 124 for HFC-152 to 14,800 for HFC-23.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Global Warming Potentials range from 6,500 to 9,200.
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. The

¹ Kimley-Horn and Associates. 2022. *Greenhouse Gas Emissions Assessment*. Page 4. Orange, CA. Appendix H.

Greenhouse Gas	Description
	Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987. Global Warming Potentials for CFCs range from 3,800 to 14,400.
Sulfur Hexafluoride (SF ₆)	SF ₆ is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas. The Global Warming Potential of SF ₆ is 23,900.
Hydrochlorofluoro carbons (HCFCs)	HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, HCFCs are subject to a consumption cap and gradual phase out. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The 100-year Global Warming Potentials of HCFCs range from 90 for HCFC-123 to 1,800 for HCFC-142b.
Nitrogen Trifluoride (NF ₃)	NF ₃ was added to Health and Safety Code section 38505(g)(7) as a GHG of concern. This gas is used in electronics manufacture for semiconductors and liquid crystal displays. It has a high global warming potential of 17,200.
<p>Source: Compiled from U.S. EPA, <i>Overview of Greenhouse Gases</i>, April 11, 2018 (https://www.epa.gov/ghgemissions/overview-greenhouse-gases); U.S. EPA, <i>Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016</i>, 2018; Intergovernmental Panel on Climate Change, <i>Climate Change 2007: The Physical Science Basis</i>, 2007; National Research Council, <i>Advancing the Science of Climate Change</i>, 2010; U.S. EPA, <i>Methane and Nitrous Oxide Emission from Natural Sources</i>, April 2010.</p>	

4.8.3 Regulatory Setting

Federal

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

Energy Independence and Security Act of 2007

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

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

U.S. Environmental Protection Agency Endangerment Finding

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

Federal Vehicle Standards

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

In 2010, an Executive Memorandum was issued directing the Department of Transportation, Department of Energy, U.S. EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, the U.S. EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017-2025 light-duty vehicles. The proposed standards projected to achieve 163 grams per mile of CO₂ in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency.

In 2018, the President and the U.S. EPA stated their intent to halt various federal regulatory activities to reduce GHG emission, including the phase two program. California and other states have stated their intent to challenge federal actions that would delay or eliminate GHG reduction measures and have committed to cooperating with other countries to implement global climate change initiatives. On September 27, 2019, the U.S. EPA and the NHTSA published the "Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program." (84 Fed. Reg. 51,310 (Sept. 27, 2019.)) The Part One Rule revokes California's authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. On March 31, 2020, the U.S. EPA and NHTSA finalized rulemaking for SAFE Part Two sets CO₂ emissions standards and corporate average fuel economy (CAFE) standards for passenger vehicles and light duty trucks, covering model years 2021-2026. The U.S. EPA is currently reconsidering the SAFE rule pursuant to Presidential Executive Order 13390 issued on January 20, 2021 as discussed below.

Presidential Executive Orders 13990 and 14008

On January 20, 2021, President Biden issued Executive Order 13990, "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis." Executive Order 13990 directs Federal

agencies to immediately review and take action to address the promulgation of Federal regulations and other actions that conflict with these important national objectives and to immediately commence work to confront the climate crisis. Executive Order 13990 directs the Council on Environmental Quality (CEQ) to review CEQ's 2020 regulations implementing the procedural requirements of the National Environmental Policy Act (NEPA) and identify necessary changes or actions to meet the objectives of Executive Order 13990.

Executive Order 13390 also directs the U.S. EPA to consider whether to propose suspending, revising, or rescinding the standards previously revised under the "The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks," promulgated in April 2020.

On January 27, 2021, President Biden signed Executive Order 14008, "Tackling the Climate Crisis at Home and Abroad," to declare the Administration's policy to move quickly to build resilience, both at home and abroad, against the impacts of climate change that are already manifest and will continue to intensify according to current trajectories. In line with these Executive Order directives, CEQ is reviewing the 2020 NEPA regulations and plans to publish a notice of proposed rulemaking (NPRM) to identify necessary revisions in order to comply with the law; meet the environmental, climate change, and environmental justice objectives of Executive Orders 13990 and 14008; ensure full and fair public involvement in the NEPA process; provide regulatory certainty to stakeholders; and promote better decision making consistent with NEPA's statutory requirements. This phase 1 rulemaking will propose a narrow set of changes to the 2020 NEPA regulations to address these goals.

State

California Air Resources Board

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

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

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

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

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

California Air Resource Board Scoping Plan

CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for the measures that would be adopted to reduce California's GHG emissions. CARB determined that achieving the 1990 emissions level would require a reduction of GHG emissions of approximately 29 percent below what would otherwise occur in 2020 in the absence of new laws and regulations (referred to as "business-as-usual").² The Scoping Plan evaluates opportunities for sector-specific reductions, integrates early actions and additional GHG reduction measures by both CARB and the State's Climate Action Team, identifies additional measures to be pursued as regulations, and outlines the adopted role of a cap-and-trade program.³ Additional development of these measures and adoption of the appropriate regulations occurred through the end of 2013. Key elements of the Scoping Plan include:

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

² CARB defines business-as-usual (BAU) in its Scoping Plan as emissions levels that would occur if California continued to grow and add new GHG emissions but did not adopt any measures to reduce emissions. Projections for each emission-generating sector were compiled and used to estimate emissions for 2020 based on 2002–2004 emissions intensities. Under CARB's definition of BAU, new growth is assumed to have the same carbon intensities as was typical from 2002 through 2004.

³ The Climate Action Team, led by the secretary of the California Environmental Protection Agency, is a group of State agency secretaries and heads of agencies, boards, and departments. Team members work to coordinate statewide efforts to implement global warming emissions reduction programs and the State's Climate Adaptation Strategy.

- CARB's Mobile Source Strategy demonstrates how the State can simultaneously meet air quality standards, achieve GHG emission reduction targets, decrease health risk from transportation emissions, and reduce petroleum consumption over the next fifteen years. The Mobile Source Strategy includes increasing ZEV buses and trucks.

In 2012, CARB released revised estimates of the expected 2020 emissions reductions. The revised analysis relied on emissions projections updated in light of current economic forecasts that accounted for the economic downturn since 2008, reduction measures already approved and put in place relating to future fuel and energy demand, and other factors. This update reduced the projected 2020 emissions from 596 million metric tons of CO₂e (MMTCO₂e) to 545 MMTCO₂e. The reduction in forecasted 2020 emissions means that the revised business-as-usual reduction necessary to achieve AB 32's goal of reaching 1990 levels by 2020 is now 21.7 percent, down from 29 percent. CARB also provided a lower 2020 inventory forecast that incorporated State-led GHG emissions reduction measures already in place. When this lower forecast is considered, the necessary reduction from business-as-usual needed to achieve the goals of AB 32 is approximately 16 percent.

CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan summarizes the most recent science related to climate change, including anticipated impacts to California and the levels of GHG emissions reductions necessary to likely avoid risking irreparable damage. It identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32. By 2016, California had reduced GHG emissions below 1990 levels, achieving AB 32's 2020 goal four years ahead of schedule.

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

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

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

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

Signed into law on September 30, 2008, SB 375 provides a process to coordinate land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction goals established by AB 32. SB 375 requires metropolitan planning organizations to include sustainable

community strategies in their regional transportation plans for reducing GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

AB 1493 (Pavley Regulations and Fuel Efficiency Standards)

AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the U.S. EPA's denial of an implementation waiver. The U.S. EPA subsequently granted the requested waiver in 2009, which was upheld by the U.S. District Court for the District of Columbia in 2011. The regulations establish one set of emission standards for model years 2009–2016 and a second set of emissions standards for model years 2017 to 2025. By 2025, when all rules will be fully implemented, new automobiles will emit 34 percent fewer CO₂e emissions and 75 percent fewer smog-forming emissions. In 2019, the U.S. EPA published the SAFE Rule that revoked California's waiver. However, the U.S. EPA is currently reconsidering the SAFE rule pursuant to Presidential Executive Order 13390.

SB 1368 (Emission Performance Standards)

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

SB 1078 and SBX1-2 (Renewable Electricity Standards)

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

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

Signed into law on October 7, 2015, SB 350 implements the goals of Executive Order B-30-15. The objectives of SB 350 are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 25 percent by 2027) and to double the energy efficiency savings in electricity and natural gas end uses of retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator to develop

more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

AB 398 (Market-Based Compliance Mechanisms)

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

SB 150 (Regional Transportation Plans)

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

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

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

AB 1346 (Air Pollution: Small Off-Road Engines)

Signed into Law in October 2021, AB 1346 requires CARB, to adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines, consistent with federal law, by July 1, 2022. The bill requires CARB to identify and, to the extent feasible, make available funding for commercial rebates or similar incentive funding as part of any updates to existing applicable funding program guidelines to local air pollution control districts and air quality management districts to implement to support the transition to zero-emission small off-road equipment operations.

Executive Orders Related to GHG Emissions

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

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

- By 2010, reduce GHG emissions to 2000 levels.

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

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

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

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

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

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

Executive Order B-30-15. Issued on April 29, 2015, Executive Order B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of CO₂e (MMTCO₂e). The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by Executive Order S-3-05. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among other provisions. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

Executive Order B-55-18. Issued on September 10, 2018, Executive Order B-55-18 establishes a goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHG

emissions. The executive order requires CARB to work with relevant state agencies to develop a framework for implementing this goal. It also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. The executive order also requires state agencies to develop sequestration targets in the Natural and Working Lands Climate Change Implementation Plan.

Executive Order N-79-20. Signed in September 2020, Executive Order N-79-20 establishes as a goal that where feasible, all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035. The executive order sets a similar goal requiring that all medium and heavy-duty vehicles will be zero-emission by 2045 where feasible. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment “requiring increasing volumes” of new zero emission vehicles (ZEVs) “towards the target of 100 percent.” The executive order directs the California Environmental Protection Agency, the California Geologic Energy Management Division (CalGEM), and the California Natural Resources Agency to transition and repurpose oil production facilities with a goal toward meeting carbon neutrality by 2045. Executive Order N-79-20 builds upon the CARB Advanced Clean Trucks regulation, which was adopted by CARB in July 2020.

California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California’s energy consumption relatively flat even with rapid population growth.

Title 20 Appliance Efficiency Regulations. The appliance efficiency regulations (California Code of Regulations [CCR] Title 20, Sections 1601-1608) include standards for new appliances. Twenty-three categories of appliances are included in the scope of these regulations. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

Title 24 Building Energy Efficiency Standards. California’s Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6) was first adopted in 1978 in response to a legislative mandate to reduce California’s energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2016 Building Energy Efficiency Standards approved on January 19, 2016 went into effect on January 1, 2017. The 2019 Building Energy Efficiency Standards were adopted on May 9, 2018 and took effect on January 1, 2020. Under the 2019 standards, homes will use about 53 percent less energy and nonresidential buildings will use about 30 percent less energy than buildings under the 2016 standards.

Title 24 California Green Building Standards Code. The California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential

and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics.

On August 11, 2021, the CEC adopted the 2022 Energy Code. In December, it was approved by the California Building Standards Commission for inclusion into the California Building Standards Code. Among other updates like strengthened ventilation standards for gas cooking appliances, the 2022 Energy Code includes updated standards in three major areas:

- New electric heat pump requirements for residential uses, schools, offices, banks, libraries, retail, and grocery stores.
- The promotion of electric-ready requirements for new homes including the addition of circuitry for electric appliances, battery storage panels, and dedicated infrastructure to allow for the conversion from natural gas to electricity.
- The expansion of solar photovoltaic and battery storage standards to additional land uses including high-rise multifamily residences, hotels and motels, tenant spaces, offices, (including medical offices and clinics), retail and grocery stores, restaurants, schools, and civic uses (including theaters auditoriums, and convention centers)

Projects whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code.⁴

CARB Advanced Clean Truck Regulation. CARB adopted the Advanced Clean Truck Regulation in June 2020 requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. This rule directly addresses disproportionate risks and health and pollution burdens and puts California on the path for an all zero-emission short-haul drayage fleet in ports and railyards by 2035, and zero-emission “last-mile” delivery trucks and vans by 2040. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8. The regulation has two components including a manufacturer sales requirement, and a reporting requirement:

- **Zero-Emission Truck Sales:** Manufacturers who certify Class 2b through 8 chassis or complete vehicles with combustion engines are required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales need to be 55 percent of Class 2b – 3 truck sales, 75 percent of Class 4 – 8 straight truck sales, and 40 percent of truck tractor sales.
- **Company and Fleet Reporting:** Large employers including retailers, manufacturers, brokers, and others would be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, would be required to report about their existing fleet operations.

⁴ California Energy Commission. 2022. *2022 Building Energy Efficiency Standards*, <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency> (accessed April 2022).

This information would help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

Regional

South Coast Air Quality Management District Rule 2305 (Warehouse Indirect Source Rule)

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

South Coast Air Quality Management District Thresholds

The South Coast Air Quality Management District (SCAQMD) formed a GHG California Environmental Quality Act (CEQA) Significance Threshold Working Group to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. This working group was formed to assist SCAQMD's efforts to develop a GHG significance threshold and is composed of a wide variety of stakeholders including the State Office of Planning and Research, CARB, the Attorney General's Office, a variety of city and county planning departments in the South Coast Air Basin (SCAB), various utilities such as sanitation and power companies throughout the SCAB, industry groups, and environmental and professional organizations. The Working Group has proposed a tiered approach to evaluating GHG emissions for development projects where SCAQMD is not the lead agency, wherein projects are evaluated sequentially through a series of "tiers" to determine whether the project is likely to result in a potentially significant impact due to GHG emissions.

With the tiered approach, a project is compared against the requirements of each tier sequentially and would not result in a significant impact if it complies with any tier. Tier 1 excludes projects that are specifically exempt from SB 97 from resulting in a significant impact. Tier 2 excludes projects that are consistent with a GHG reduction plan that has a certified final CEQA document and complies with AB 32 GHG reduction goals. Tier 3 excludes projects with annual emissions lower than a screening threshold. The SCAQMD has adopted a threshold of 10,000 metric tons of CO₂e (MTCO₂e) per year for industrial projects and a 3,000 MTCO₂e threshold was proposed for non-industrial projects but has not been adopted. During Working Group Meeting #7 it was explained that this threshold was derived using a

90 percent capture rate of a large sampling of industrial facilities. During Meeting #8, the Working Group defined industrial uses as production, manufacturing, and fabrication activities or storage and distribution (e.g., warehouse, transfer facility, etc.). The Working Group indicated that the 10,000 MTCO₂e per year threshold applies to both emissions from construction and operational phases plus indirect emissions (electricity, water use, etc.). The SCAQMD concluded that projects with emissions less than the screening threshold would not result in a significant cumulative impact.

Tier 4 consists of three decision tree options. Under the Tier 4 first option, SCAQMD initially outlined that a project would be excluded if design features and/or mitigation measures resulted in emissions 30 percent lower than business as usual emissions. However, the Working Group did not provide a recommendation for this approach. The Working Group folded the Tier 4 second option into the third option. Under the Tier 4 third option, a project would be excluded if it was below an efficiency-based threshold of 4.8 MTCO₂e per service population per year. Tier 5 would exclude projects that implement offsite mitigation (GHG reduction projects) or purchase offsets to reduce GHG emission impacts to less than the proposed screening level.

Tier 3 Screening Thresholds

When the tiered approach is applied to a proposed project, and the project is found not to comply with Tier 1 or Tier 2, the project's emissions are compared against a screening threshold, as described above, for Tier 3. The screening threshold formally adopted by SCAQMD is an "interim" screening threshold for stationary source industrial projects where the SCAQMD is the lead agency under CEQA. The threshold was termed "interim" because, at the time, SCAQMD anticipated that CARB would be adopting a statewide significance threshold that would inform and provide guidance to SCAQMD in its adoption of a final threshold. However, no statewide threshold was ever adopted, and the interim threshold remains in effect.

For projects for which SCAQMD is not a lead agency, no screening thresholds have been formally adopted. However, the SCAQMD Working Group has recommended a threshold of 10,000 MTCO₂e/year for industrial projects and 3,000 MTCO₂e/year for residential and commercial projects. SCAQMD determined that these thresholds would "capture" 90 percent of GHG emissions from these sectors, "capture" meaning that 90 percent of total emissions from all new projects would be subject to some type of CEQA analysis (i.e., found potentially significant).

Southern California Association of Governments

On September 3, 2020, SCAG's Regional Council adopted Connect SoCal (2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy [2020 RTP/SCS]). The RTP/SCS charts a course for closely integrating land use and transportation so that the region can grow smartly and sustainably. The strategy was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses, and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The RTP/SCS is a long-range vision plan that balances future mobility and housing needs with economic, environmental, and public health goals. The SCAG region strives toward

sustainability through integrated land use and transportation planning. The SCAG region must achieve specific federal air quality standards and is required by state law to lower regional GHG emissions.

Local

The Countywide Plan

The Project site is within an unincorporated area of the non-desert portion of southwestern San Bernardino County, which is part of the SCAB and is under the jurisdiction of the SCAQMD. The San Bernardino Countywide General Plan includes the following goals and policies to reduce GHG emissions within the County boundaries:

- | | |
|----------------------|---|
| Goal NR-1 | Air Quality. Air quality that promotes health and wellness of residents in San Bernardino County through improvements in locally-generated emissions. |
| Policy NR-1.1 | Land use. Promote compact and transit-oriented development countywide and regulate the types and locations of development in unincorporated areas to minimize vehicle miles traveled and greenhouse gas emissions. |
| Policy NR-1.9 | Building design and upgrades. Use the CALGreen Code to meet energy efficiency standards for new buildings and encourage the upgrading of existing buildings to incorporate design elements, building materials, and fixtures that improve environmental sustainability and reduce emissions. |
| Goal RE-1 | Energy Conservation and Efficiency. The County will pursue energy efficiency tools and conservation practices that optimize the benefits of renewable energy. |
| Policy RE-1.1 | GHG Reduction Plan. Continue implementing the energy conservation and efficiency measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan. |
| Policy RE-1.2 | Optimized efficiency. Optimize energy efficiency in the built environment. |
| Policy RE-1.4 | Energy conservation. Encourage residents and businesses to conserve energy. |
| Goal RE-2 | Renewable Energy Systems. The County will be home to diverse and innovative renewable energy systems that provide reliable and affordable energy to our unique Valley, Mountain, and Desert regions. |
| Policy RE-2.1 | Types of renewable energy systems. Support solar energy generation, solar water heating, wind energy and bioenergy systems that are consistent with the orientation, siting, and environmental compatibility policies of the General Plan. |

San Bernardino County Greenhouse Gas Reduction Plan

The County adopted a GHG Reduction Plan in September 2011 and updated their GHG Development Review Process in March 2015, and most recently in September 2021 (GHG Reduction Plan). The GHG Reduction Plan provides a means of implementing state regulations, including AB 32, AB 1493, Executive Order S-3-05, SB 375, Executive Order B-30-15, SB 32, AB 398, and SB 97, at the County level. The 2021 GHG Reduction Plan Update provides a target and comprehensive set of actions for GHG emission reductions for the year 2030 (i.e., an emissions reduction 40 percent below 2007 levels). This reduction

would be consistent with the State's long-term goal to achieve statewide carbon neutrality (zero net emissions) by 2045.

GHG emissions impacts are assessed through the GHG Development Review Process by applying appropriate reduction requirements as part of the discretionary approval of new development projects. Through its development review process, the County will implement CEQA requiring new development projects to quantify project GHG emissions and adopt feasible mitigation to reduce project emissions below a level of significance.

A review standard of 3,000 MTCO₂e per year is used to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions. The purpose of the Screening Tables is to provide guidance in measuring the reduction of GHG emissions attributable to certain design and construction measures incorporated into development projects.

4.8.4 Impact Thresholds and Significance Criteria

The following significance criteria for GHG were derived from the Environmental Checklist in CEQA Guidelines, Appendix G. An impact of the Project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance; or
- Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.

Addressing GHG emissions generation impacts requires an agency to determine what constitutes a significant impact. The amendments to the *CEQA Guidelines* specifically allow lead agencies to determine thresholds of significance that illustrate the extent of an impact and are a basis from which to apply mitigation measures. This means that each agency is left to determine whether a project's GHG emissions will have a "significant" impact on the environment. The guidelines direct that agencies are to use "careful judgment" and "make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" the project's GHG emissions.⁵

GHG Thresholds

On December 5, 2008, the SCAQMD Governing Board adopted a 10,000 MTCO₂e industrial threshold for projects where SCAQMD is the lead agency. The SCAQMD GHG CEQA Significance Threshold Working Group defined industrial uses as production, manufacturing, and fabrication activities or storage and distribution (e.g., warehouse, transfer facility, etc.) during Meeting #8. Additionally, the SCAQMD GHG Significance Threshold Stakeholder Working Group has specified that a warehouse is considered to be an industrial project.⁶ During the GHG CEQA Significance Threshold Working Group Meeting #15, the

⁵ 14 California Code of Regulations, Section 15064.4a

⁶ South Coast Air Quality Management District. 2009. *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #8*.

SCAQMD noted that it was considering extending the industrial GHG significance threshold for use by all lead agencies.

Furthermore, the Working Group indicated that the 10,000 MTCO₂e per year threshold applies to both emissions from construction and operational phases plus indirect emissions (electricity, water use, etc.). The SCAQMD has not announced when staff is expecting to present GHG thresholds for land use projects where the SCAQMD is not the lead agency to the governing board.

As noted above, the County's GHG Reduction Plan includes review standard of 3,000 MTCO₂e per year to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions. The purpose of the Screening Tables is to provide guidance in measuring the reduction of GHG emissions attributable to certain design and construction measures incorporated into development projects. Projects that exceed the 3,000 MTCO₂e/year are required to either achieve a minimum 100 points per the Screening Tables or a 31 percent reduction over 2007 emissions levels.

According to the County's 2021 GHG Emissions Reduction Plan Update, any project that adopts at least 100 points of GHG performance standards listed in the proposed 2021 Screening Tables, would be consistent with the County's GHG Emissions Reduction Plan to reduce emissions to 40 percent below 2007 levels. Meeting this reduction would be consistent with the State's long-term goal to achieve statewide carbon neutrality (zero net emissions) by 2045, and therefore, would result in a less than significant impact related to GHG emissions.

Methodology

Global climate change is, by definition, a cumulative impact of GHG emissions. Therefore, there is no project-level analysis. The baseline against which to compare potential impacts of the project includes the natural and anthropogenic drivers of global climate change, including worldwide GHG emissions from human activities which almost doubled between 1970 and 2010 from approximately 27 gigatonnes (Gt) of CO₂/year to nearly 49 GtCO₂/year.⁷ As such, the geographic extent of climate change and GHG emissions cumulative impact discussion is worldwide.

The Project's construction and operational emissions were calculated using the California Emissions Estimator Model version 2020.4.0 (CalEEMod). Details of the modeling assumptions and emission factors are provided in Appendix A: Greenhouse Gas Emissions Data of **Appendix H: Greenhouse Gas Emissions Assessment**. For construction, CalEEMod calculates emissions from off-road equipment usage and on-road vehicle travel associated with haul, delivery, and construction worker trips. GHG emissions during construction were forecasted based on the proposed construction schedule and applying the mobile-source and fugitive dust emissions factors derived from CalEEMod. The Project's construction-related GHG emissions would be generated from off-road construction equipment, on-road hauling, vendor

⁷ Intergovernmental Panel on Climate Change. 2014. *Climate Change 2014 Mitigation of Climate Change Working Group III Contribution to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*.

(material delivery) trucks, and worker vehicles. Construction was modeled generally according to the following timeline:⁸

- Phase 1a: Commence in 2023 with a 12-month duration.
- Phase 1b: Commence in 2024 with a 12-month duration.
- Phase 2: Commence in 2025 with a 12-month duration.
- Commercial Parcel: Commence in 2026 with an 11-month duration.

The Project's operational GHG emissions would be generated by vehicular traffic, off-road equipment, area sources (e.g., landscaping maintenance, consumer products), electrical generation, natural gas consumption, water supply and wastewater treatment, and solid waste. The emissions categories are discussed below.

- **Area Sources.** Area source emissions occur from hearths, architectural coatings, landscaping equipment, and consumer products. The Project involves warehouse uses and would not include hearths. Landscaping and consumer products would be limited. Negligible quantities of consumer products (i.e., personal care products, home, lawn, and garden products, disinfectants, sanitizers, polishes, cosmetics, and floor finishes) would be used.
- **Energy Consumption.** Energy consumption consists of emissions from project consumption of electricity and natural gas. Primary uses of electricity and natural gas by the Project would be for miscellaneous warehouse equipment, space heating and cooling, water heating, ventilation, lighting, appliances, and electronics. Energy emissions are calculated based on consumption rates and emissions factors in CalEEMod.
- **Solid Waste.** Solid waste releases GHG emissions in the form of methane when these materials decompose. Solid waste emissions are calculated based on generation rates and emissions factors in CalEEMod.
- **Water and Wastewater.** Project GHG emissions would be generated from energy consumption associated with water and wastewater conveyance and treatment. Water and wastewater emissions are calculated based on consumption rates and emissions factors in CalEEMod.
- **Off-Road Equipment.** Operational off-road emissions would be generated by off-road cargo handling equipment used during operational activities at the warehouses (off-road equipment would not be needed for the operational activities at the commercial development). Off-road emissions were calculated with emissions rates derived from CARB's OFFROAD database. For this Project it was assumed that the warehouses would including the following off-road equipment per SCAQMD data⁹:

⁸ As the Project development is speculative, a conservative worst-case construction timeline has been modeled for analysis purposes. This involves modeling emissions at the earliest feasible date. Emissions in future years (i.e., due to a later construction start date or operational opening year) would be lower due to phased-in emissions standards, inspection and maintenance requirements, and fleet turnover). Project construction that occurs at a later date than what was modeled impacts would result in lower emissions than those analyzed due to the use of more energy-efficient and cleaner burning construction vehicle fleet mix, pursuant to state regulations that require vehicle fleet operators to phase-in less polluting heavy-duty equipment. As a result, Project-related construction emissions would be lower than the impacts disclosed herein. For emissions modeling purposes, conservatively analyzing the emissions using an earlier construction start date provides for a worst-case analysis and full disclosure of potential air quality impacts, as required by CEQA.

⁹ SCAQMD. 2014. *High-Cube Warehouse Truck Trip Study White Paper Summary of Business Survey Results*.

- Phase 1a: 63 forklifts and 11 yard trucks
 - Phase 1b: 38 forklifts and 7 yard trucks
 - Phase 2: 31 forklifts and 6 yard trucks
- **Transport Refrigeration Units.** Transport Refrigeration Units (TRUs) are refrigeration systems powered by diesel internal combustion engines designed to refrigerate or heat perishable products that are transported in various containers, including semi-trailers and truck vans. TRU emissions were quantified with CARB's OFFROAD database. All trucks associated with the refrigerated building space were assumed to have TRUs for modeling purposes to provide a worst-case scenario.
 - **Emergency Backup Generators.** As the Project warehouses are speculative, it is unknown whether emergency backup generators would be used. Backup generators would only be used in the event of a power failure and would not be part of the Project's normal daily operations. Nonetheless, emissions associated with this equipment were included to be conservative. Emissions from an emergency backup generator for each warehouse building were calculated separately from CalEEMod; refer to Appendix A. However, CalEEMod default emissions rates were used. If backup generators are required, the end user would be required to obtain a permit from the SCAQMD prior to installation. Emergency backup generators must meet SCAQMD's Best Available Control Technology (BACT) requirements and comply with SCAQMD Rule 1470 (Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines), which would minimize emissions.
 - **Mobile Sources.** Mobile source emissions were calculated with CalEEMod based on the trip generation from **Appendix L, Traffic Study** prepared by Kimley-Horn and Associates (2022). The Project land use assumptions and trip generation is based on Institute of Transportation Engineers (ITE) land use categories or specific counts where ITE categories were not available. Truck mix percentages are based on the SCAQMD Truck Trip Generation Study applied to ITE truck percentages and data from other similar facilities. Other operational emissions from area, energy, and stationary sources were quantified in CalEEMod based on land use activity data.

The Project site would consist of up to approximately 6.6 million square feet of high-cube logistics and e-commerce uses with 261,360 square feet of ancillary commercial uses, and approximately 98 acres of parking fields/drop lot areas as well as ancillary open space. However, for purposes of trip generation and associated air quality analysis, a conservative approach was used in the trip generation which assumes 2,641,000 million square feet of high-cube logistics and 2,773,050 million square feet of e-commerce uses, for a total of 5,675,410 million sf of combined high-cube logistics and e-commerce uses. This scenario provides for the maximum number of trips and related air quality impacts that could be associated with the Project. For instance, if the Project were to develop with 6.6 million square feet of high-cube logistics uses only, the number of trips associated with the Project would be less than if the Project were to develop with the assumed 2,641,000 million square feet of high-cube logistics and 2,773,050 million square feet of e-commerce uses due to the higher intensity of trips generated with e-commerce uses. Potential tenants and end users are unknown at this time; therefore, the exact square footage allocation between high-cube logistics and e-commerce uses cannot be determined at the time this EIR was prepared. Therefore, future development of high-cube logistics and e-commerce uses within the Project site would

occur in a combination that would not exceed the maximum number of vehicle trips analyzed within this EIR, which represents a conservative, worst-case scenario. For purposes of construction emissions modeling, the maximum potential development of approximately 6.6 million square feet building area was modeled to reflect the maximum square footage of building construction potential.

Emissions reductions from mitigation measures applied in CalEEMod are derived from methodologies compiled in the CAPCOA report *Quantifying GHG Measures*¹⁰. Each measure was assessed to determine its consistency with the CAPCOA criteria for the use of the measure. The following mitigation measure that were applied in CalEEMod include:

- Transportation Demand Management Measures: TRT-1 (Implement Trip Reduction Program), TRT-7 (Market Commute Trip Reduction Option), and TRT-11 (Employee Vanpool/Shuttle).
- A-1 - Electric Handheld Landscape Equipment.
- BE-1 – Exceed Title 24. The Project would be required to comply with CALGreen Tier 2, which requires a 30 percent improvement.
- SW-1 – 75 Percent Reduction in Solid Waste Disposal.

Additionally, the following design feature was quantified outside of CalEEMod:

- Zero Emission Cargo Handling Equipment. Zero emission/electric cargo handling equipment (see Mitigation Measure (MM) AQ-9, below) emissions from energy consumption were calculated based on 132 forklifts and 24-yard trucks operating for 12 hours per day and the Southern California Edison (SCE) electricity CO₂e emissions factor from CalEEMod. As noted above, the assumptions for the equipment are based on the SCAQMD High-Cube Warehouse Truck Trip Study White Paper (2014).

Project Design Features

The Master Developer proposes Project Design Features (PDFs) that would be incorporated into the Project design and constructed or implemented as part of the Project. PDFs are specific design and/or operational characteristics proposed by the Master Developer that are incorporated into the Project and part of the Project description and Specific Plan. Because PDFs are incorporated into the Project, they do not constitute mitigation measures. PDFs relevant to GHG emissions are provided in **Section 4.3: Air Quality**.

For example, **PDF AQ-8** requires all heavy-duty vehicles registered in California entering or operated on the Project site shall be model year 2010 or later. To promote the use of alternative fuels and clean fleets and facilitate future installation of electric vehicle supply equipment, **PDF AQ-9** requires that all heavy-duty trucks to be zero emissions beginning in 2030 if such trucks are widely available and economically feasible and **PDF AQ-10** requires tenants/facility operators to use zero-emission light- and medium-duty trucks as part of business operations, if such trucks are widely available and economically feasible. **PDF AQ-11** requires tenants/facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. **PDF AQ-12** and **PDF AQ-13**

¹⁰ California Air Pollution Control Officers Association. 2010. *Quantifying Greenhouse Gas Mitigation Measures*.

requires future tenants/facility operators to attend CARB training for record keeping and ensuring vehicles comply with CARB regulations and are in good condition. **PDF AQ-14** requires site enforcement staff to be certified in diesel health effects and technologies by attending CARB training and **PDF AQ-15** requires compliance with all current air quality regulations for on-road trucks. **PDF AQ-16** and **PDF AQ-17** requires charging infrastructure and conduits, and **PDF AQ-18** requires necessary infrastructure to allow solar photovoltaic systems to be installed in the future. **PDF AQ-19** enroll in the EPA's SmartWay program and **PDF AQ-20** provide information on CARB's Carl Moyer Voucher Incentive Program to upgrade fleets. **PDF AQ-21** requires signage for truck routes and **PDF AQ-22** requires check-in points to be located inside the facility to ensure truck queues do not occur outside of the facility. It should be noted that these PDFs facilitate compliance with regulations and latest best practices. Emissions benefits from implementation of **PDF AQ-1** through **PDF AQ-23** are not directly quantifiable and conservatively not quantified; no credit is taken for these measures. Quantifiable reduction measures are incorporated below as mitigation measures, which would be supported by these PDFs.

4.8.5 Impacts and Mitigation Measures

Impact 4.8-1 *Would the Project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment?*

Level of Significance: Significant and Unavoidable

Short-Term Construction Greenhouse Gas Emissions

Project construction would result in direct emissions of CO₂, N₂O, and CH₄ from construction equipment and the transport of materials and construction workers to and from the Project site. The GHG emissions only occur during temporary construction activities and would cease once construction is complete. The total GHG emissions generated during all phases of construction were combined as CO₂e and are shown in **Table 4.8-2: Construction-Related Greenhouse Gas Emissions**.

Table 4.8-2: Construction-Related Greenhouse Gas Emissions

Category	MTCO ₂ e
Construction Phase	
Phase 1a (2023)	14,828
Phase 1b (2024)	10,765
Phase 2 (2025)	11,453
Commercial Phase (2026)	578
<i>Total Construction Emissions</i>	<i>37,624</i>
30-Year Amortized Construction	1,254
Source: CalEEMod version 2020.4.0. Refer to Appendix H for model outputs.	

As shown in **Table 4.8-2**, the Project would result in the generation of approximately 37,624 MTCO₂e over the course of construction. Construction GHG emissions are typically summed and amortized over a 30-

year period, then added to the operational emissions.¹¹ The amortized Project construction emissions would be 1,254 MTCO₂e per year. Once construction is complete, the generation of these GHG emissions would cease.

Long-Term Operational Greenhouse Gas Emissions

Operational or long-term emissions occur over the life of the Project. GHG emissions would result from direct emissions such as Project generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and wastewater from the Project, the emissions associated with solid waste generated from the Project, and any fugitive refrigerants from air conditioning or refrigerators.

Several PDFs and standard conditions of approval applicable to the Project would help to reduce GHG emissions. In addition, prior to issuance of a building permit, San Bernardino County would review and verify that the Project plans demonstrate compliance with the current version of the Building and Energy Efficiency Standards. The Project would also be required to adhere to the provisions of CALGreen, which establishes planning and design standards for sustainable site development, and energy efficiency. Construction activities would be required to monitor air quality emissions using applicable regulatory guidance such as the SCAQMD Rules. GHG emissions associated with the Project are summarized in **Table 4.8-3: Project Greenhouse Gas Emissions.**

Table 4.8-3: Project Greenhouse Gas Emissions

Emissions Source	MTCO ₂ e per Year				
	Phase 1a	Phase 1b	Phase 2	Commercial	Total
Unmitigated					
Construction Amortized Over 30 Years	494	359	382	19	1,254
Area Sources	0.09	0.05	0.04	0.01	0.19
Energy ¹	2,753	2,051	2,856	499	8,158
Mobile - Passenger Cars	9,458	7,406	2,371	6,355	25,590
Mobile - Trucks	78,081	56,615	20,370	N/A	155,067
Mobile - Vans	4,657	3,565	N/A	N/A	8,222
Off-Road - Forklifts	2,602	1,569	1,280	N/A	5,451
Off-Road - Yard Trucks	1,885	1,200	1,028	N/A	4,113
Backup Generators	133	39	286	N/A	458
Transport Refrigeration Units	1,218	727	975	N/A	2,920
Waste	1,488	898	734	138	3,259
Water and Wastewater ³	2,475	1,468	1,179	81	5,203
Unmitigated Total	105,244	75,898	31,462	7,092	219,696
Mitigated					

¹¹ The Project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13*, August 26, 2009).

Emissions Source	MTCO ₂ e per Year				
	Phase 1a	Phase 1b	Phase 2	Commercial	Total
Construction Amortized Over 30 Years	494	359	382	19	1,254
Area Sources	0.05	0.03	0.02	0.01	0.10
Energy ¹	2,296	1,772	2,614	358	7,040
Mobile - Passenger Cars	9,349	7,321	2,344	6,286	25,300
Mobile - Trucks	78,081	56,615	20,370	N/A	155,067
Mobile - Vans	4,603	3,524	N/A	N/A	8,127
Off-Road - Forklifts	573	336	266	N/A	1,175
Off-Road - Yard Trucks	470	291	242	N/A	1,003
Backup Generators	133	39	286	N/A	458
Transport Refrigeration Units	1,218	727	975	N/A	2,920
Waste	372	225	184	35	815
Water and Wastewater ³	1,981	1,175	944	68	4,168
Mitigated Total	99,571	72,385	28,607	6,765	207,327
<p>1. Mitigation Measure GHG-2 requires the installation of photovoltaic solar panels to offset energy emissions. Mitigation Measure GHG-3 requires the buildings to meet or exceed CalGreen Tier 2 standards.</p> <p>2. Mitigation Measure AQ-3 (refer to the Projects Air Quality Assessment) requires implementation of a TDM program.</p> <p>3. Energy savings from water conservation resulting from the Green Building Code Standards for indoor water use and the County's Water Efficient Landscape Ordinance for outdoor water use are not included in CalEEMod. These are regulatory measures have been incorporated into the CalEEMod mitigation module.</p>					
Source: CalEEMod version 2020.4.0. Refer to Appendix H for model outputs.					

Table 4.8-3 shows that the Project's unmitigated emissions would be approximately 219,696 MTCO₂e annually from operations with amortized construction. Project-related GHG emissions would exceed the County's 3,000 MTCO₂e per year review standard. It should be noted that the majority of the unmitigated GHG emissions (86 percent) are associated with non-construction related mobile sources. Emissions of motor vehicles are controlled by State and Federal standards, and the Project has no control over these standards.

The Project includes numerous PDFs that would minimize emissions as described above. Additionally, Standard Conditions (SC) GHG-1 through SC GHG-9 would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of electric vehicle supply equipment, and limit idling times.

Furthermore, the Project's Air Quality Assessment (**Appendix C**) includes numerous mitigation measures that would also reduce GHG emissions. For example, Mitigation Measures (**MM**) **AQ-3** through **MM AQ-10** have been identified to reduce operational emissions. **MM AQ-3** requires the implementation of a Transportation Demand Management (TDM) program to reduce single occupant vehicle trips and encourage transit. **MM AQ-4** requires the buildings to be designed to accommodate electric vehicle (EV) infrastructure, **MM AQ-5** requires tenant installation of conduit at select loading bays for future transportation refrigeration units if required by future tenants who utilize cold storage, and **MM AQ-6** prohibits idling when engines are not in use. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, **MM AQ-7** requires energy efficient vendor trucks, **MM AQ-8** requires EV charging stations and carpool parking, and **MM AQ-9** requires

electric outdoor cargo handling equipment (i.e., forklifts and yard trucks). **MMAQ-10** requires compliance with SCAQMD's Warehouse Indirect Source Rule (Rule 2305). It should be noted that as the nature, timing, and extent of the incorporation of ZE and NZE vehicles cannot be determined at this time, conservatively no emissions reduction credits from **MM AQ-7** through **MM AQ-10** are applied.

In addition, the Project would be required to comply with SCAQMD Rule 2305 which would directly reduce emissions or to otherwise facilitate emissions reductions. Alternatively, warehouse operators can choose to pay a mitigation fee. Funds from the mitigation fee will be used to incentivize the purchase of cleaner trucks and charging/fueling infrastructure in communities nearby. Although Rule 2305 focuses on air quality pollutant emissions, the rule would facilitate cleaner vehicles and supporting infrastructure that would also result in GHG benefits.

Warehouse owners and operators are required to earn Warehouse Actions and Investments to Reduce Emissions (WAIRE) Points each year. WAIRE points are a menu-based system earned by emission reduction measures. Warehouse operators are required to submit an annual WAIRE Report which includes truck trip data and emission reduction measures. WAIRE points can be earned by completing actions from a menu that can include acquiring and using natural gas, Near-Zero Emissions and/or Zero-Emissions on-road trucks, zero-emission cargo handling equipment, solar panels or zero-emission charging and fueling infrastructure, or other options.

A preliminary WAIRE calculation has been conducted for the proposed Project. The Project would include rooftop solar (refer to **MM GHG-2**) and 24 zero emission yard trucks that would operate for approximately 12 hours per day, 365 days per year. Based on the SCAQMD WAIRE User Calculator the Project would have a Warehouse Points Compliance Obligation (WPCO) of 13,510 and would earn 41,999 points. As a result, the Project more than fulfill its WPCO and would bank 28,489 points.¹²

The County uses a review standard of 3,000 MTCO₂e per year to identify projects that require the use of the Screening Tables. The County's GHG Development Review Process specifies a two-step approach in quantifying GHG emissions. First, a screening threshold of 3,000 MTCO₂e/year is used to determine if additional analysis is required. Projects that exceed the 3,000 MTCO₂e/year are required to either achieve a minimum 100 points per the Screening Tables or a 31 percent reduction over 2007 emissions levels.

According to the County's 2021 GHG Emissions Reduction Plan Update, any project that adopts at least 100 points of GHG performance standards listed in the proposed 2021 Screening Tables, would be consistent with the County's GHG Emissions Reduction Plan to reduce emissions to 40 percent below 2007 levels. Meeting this reduction would be consistent with the State's long-term goal to achieve statewide carbon neutrality (zero net emissions) by 2045, and therefore, would result in a less than significant impact related to GHG emissions.

Table 4.8-4: San Bernardino County GHG Reduction Measures Screening Table shows that each building would potentially earn 104 points on the County's GHG Screening Tables, which would exceed 100 points required to be consistent with the County's GHG Emissions Reduction Plan. **MM GHG-1** has been included

¹² Note that this calculation is preliminary and provided for informational purposes. The WAIRE Points Compliance Obligation is determined by the actual number of truck trips to the facility based on logs of truck trips submitted on January 1 after the first year of operation. The trip rates that SCAQMD uses in the WAIRE User Calculator would be slightly different than what is used in the Project's Traffic Study.

to ensure application of the GHG reduction measures. Additionally, as stipulated by **MM GHG-1**, individual projects can utilize different measures than those chosen in **Table 4.8-4** as long as the total of the measures utilized meet 100 points.

Additionally, **MM GHG-2** requires the Project to offset energy demand with solar PV infrastructure, **MM GHG-3** requires the Project to meet or exceed CALGreen Tier 2 standards (which exceeds code requirements), **MM GHG-4** requires the Project to divert at least 75 percent of solid waste from landfills, and **MM GHG-5** requires handheld landscape equipment to be 100 percent electric. Note that credit for solar PV was conservatively not taken as these renewable energy systems may be installed subsequent to occupancy permit issuance.

The Project would achieve more than 100 points from the County's GHG Reduction Plan Screening tables and would not conflict with the County's GHG Reduction Plan. However, due to the size of the Project, the Project's emissions could be considered significant. Additionally, 86 percent of the total emissions are from mobile sources. Mitigation measures would be required to reduce emissions to the maximum extent feasible; however, emissions of motor vehicles are controlled by State and Federal standards and the Project has no control over these standards. CARB is addressing emissions from heavy duty vehicles through various regulatory programs including lower emission standards, restrictions on idling, the use of post-combustion filter and catalyst equipment, and retrofits for diesel truck fleets. Additionally, as described above, the SCAQMD is addressing mobile source emissions through the implementation of the Warehouse Indirect Source Rule (Rule 2305), which would reduce the Project's emissions. Nonetheless, impacts related to GHG emissions are conservatively considered significant and unavoidable despite the implementation of all feasible mitigation.

Table 4.8-4: San Bernardino County GHG Reduction Measures Screening Table

Feature	Description	Assigned Point Values	Project Points
Reduction Measure Energy: Exceed Energy Efficiency Standards in New Commercial Units			
Building Envelope			
Insulation	<ul style="list-style-type: none"> 2019 Title 24 Requirements (walls R-8, roof/attic R-30) Modestly Enhanced Insulation (walls R-15, roof/attic R-38) Enhanced Insulation (rigid wall insulation R-13, roof/attic R-38) Greatly Enhanced Insulation (spray foam wall insulated walls R-18 or higher, roof/attic R-38 or higher) 	0 points 9 points 11 points 12 points	11
Windows	<ul style="list-style-type: none"> 2019 Title 24 Windows (0.57 U-factor, 0.4 SHGC) Modestly Enhanced Window Insulation (0.4 U-factor, 0.32 SHGC) Enhanced Window Insulation (0.32 U-factor, 0.25 SHGC) Greatly Enhanced Window Insulation (0.28 or less U-factor, 0.22 or less SHGC) 	0 points 4 points 5 points 7 points	4
Cool Roofs	<ul style="list-style-type: none"> Enhanced Cool Roof (CRRC Rated 0.2 aged solar reflectance, 0.75 thermal emittance) Greatly Enhanced Cool Roof (CRRC Rated 0.35 aged solar reflectance, 0.75 thermal emittance) 	8 points 10 points	8

Feature	Description	Assigned Point Values	Project Points
Air Filtration	<p>Minimizing leaks in the building envelope is as important as the insulation properties of the building. Insulation does not work effectively if there is excess air leakage.</p> <ul style="list-style-type: none"> Air barrier applied to exterior walls, caulking, and visual inspection such as the HERS Verified Quality Insulation Installation (QII or equivalent) Blower Door HERS Verified Envelope Leakage or equivalent 	<p>7 points</p> <p>6 points</p>	7
Thermal Storage of Building	<p>Thermal storage is a design characteristic that helps keep a constant temperature in the building. Common thermal storage devices include strategically placed water filled columns, water storage tanks, and thick masonry walls.</p> <ul style="list-style-type: none"> Modest Thermal Mass (10% of floor or 10% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood, or other insulating materials) Enhanced Thermal Mass (20% of floor or 20% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood, or other insulating materials) Enhanced Thermal Mass (80% of floor or 80% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood, or other insulating materials) 	<p>2 points</p> <p>4 points</p> <p>14 points</p>	2
Indoor Space Efficiencies			
Heating/ Cooling Distribution System	<ul style="list-style-type: none"> Modest Duct insulation (R-6 required) Enhanced Duct Insulation (R-8) Distribution loss reduction with inspection (HERS Verified Duct Leakage or equivalent) 	<p>0 points</p> <p>6 points</p> <p>8 points</p>	6
Space Heating/ Cooling Equipment	<ul style="list-style-type: none"> 2019 Title 24 Minimum HVAC Efficiency (SEER 13/75% AFUE or 7.7 HSPF) Improved Efficiency HVAC (SEER 14/78% AFUE or 8 HSPF) High Efficiency HVAC (SEER 15/80% AFUE or 8.5 HSPF) Very High Efficiency HVAC (SEER 16/82% AFUE or 9 HSPF) 	<p>0 points</p> <p>4 points</p> <p>5 points</p> <p>7 points</p>	5
Commercial Heat Recovery Systems	Heat recovery strategies employed with commercial laundry, cooking equipment, and other commercial heat sources for reuse in HVAC air intake or other appropriate heat recovery technology. Point values for these types of systems will be determined based upon design and engineering data documenting the energysavings.	TBD	N/A
Water Heaters	<ul style="list-style-type: none"> 2019 Title 24 Minimum Efficiency (0.57 Energy Factor) Improved Efficiency Water Heater (0.675 Energy Factor) High Efficiency Water Heater (0.72 Energy Factor) Very High Efficiency Water Heater (0.92 Energy Factor) Solar Pre-heat System (0.2 Net Solar Fraction) Enhanced Solar Pre-heat System (0.35 Net Solar Fraction) 	<p>0 points</p> <p>8 points</p> <p>10 points</p> <p>11 points</p> <p>2 points</p> <p>5 points</p>	10

Feature	Description	Assigned Point Values	Project Points
Daylighting	Daylighting is the ability of each room within the building to provide outside light during the day reducing the need for artificial lighting during daylight hours. <ul style="list-style-type: none"> All peripheral rooms within building have at least one window or skylight All rooms within building have daylight (through use of windows, solar tubes, skylights, etc.) All rooms daylighted 	0 points 1 point 1 point	1
Artificial Lighting	<ul style="list-style-type: none"> Efficient Lights (25% of in-unit fixtures considered high efficiency. High efficiency is defined as 40 lumens/watt for 15 watt or less fixtures; 50 lumens/watt for 15-40 watt fixtures, 60 lumens/watt for fixtures >40 watt) High Efficiency Lights (50% of in-unit fixtures are high efficiency) Very High Efficiency Lights (100% of in-unit fixtures are high efficiency) 	5 points 7 points 8 points	5
Appliances	<ul style="list-style-type: none"> Energy Star Commercial Refrigerator (new) Energy Star Commercial Dishwasher (new) Energy Star Commercial Clothes Washer (new) 	2 points 2 points 2 points	0
Miscellaneous Commercial Building Efficiencies			
Building Placement	North/south alignment of building or other building placement such that the orientation of the buildings optimizes conditions for natural heating, cooling, and lighting.	4 points	4
Shading	At least 90% of south-facing glazing will be shaded by vegetation or overhangs at noon on June 21st.	6 points	6
Other	This allows innovation by the applicant to provide design features that increase the energy efficiency of the Project not provided in the table. Note that engineering data will be required documenting the energy efficiency of innovative designs and point values given based upon the proven efficiency beyond Title 24 Energy Efficiency Standards.	TBD	0
Existing Commercial Buildings Retrofits	The applicant may wish to provide energy efficiency retrofit projects to existing commercial buildings to further the point value of their project. Retrofitting existing commercial buildings within the County is a key reduction measure that is needed to reach the reduction goal. The potential for an applicant to take advantage of this program will be decided on a case-by-case basis and shall have the approval from the County of San Bernardino Planning Department. The decision to allow applicants to participate in this program will be evaluated based upon, but not limited to the following: <ul style="list-style-type: none"> Will the energy efficiency retrofit project benefit low-income or disadvantaged communities? Does the energy efficiency retrofit project provide co-benefits important to the County? Point value will be determined based upon engineering and design criteria of the energy efficiency retrofit project. 	TBD	0
Reduction Measure Energy-3: All Electric Buildings			

Feature	Description	Assigned Point Values	Project Points
All-Electric Buildings	All electric buildings reduce GHG emissions, as the grid electricity they use is generated using less carbon over time. Grid electricity in California will be 60 percent renewable energy by 2030 and 100 percent renewable energy by 2040.	15 points	0
Reduction Measure Energy-7: Clean Energy			
Commercial/Industrial Renewable Energy Generation			
Photovoltaic	Solar Photovoltaic panels installed on commercial buildings or in collective arrangements within a commercial development such that the total power provided augments: <ul style="list-style-type: none"> • 30 percent of the power needs of the project • 40 percent of the power needs of the project • 50 percent of the power needs of the project • 60 percent of the power needs of the project • 70 percent of the power needs of the project • 80 percent of the power needs of the project • 90 percent of the power needs of the project • 100 percent of the power needs of the project 	8 points 12 points 16 points 19 points 23 points 26 points 30 points 34 points	0
Wind Turbines	Some areas of the County lend themselves to wind turbine applications. Analysis of the areas capability to support wind turbines should be evaluated prior to choosing this feature. Wind turbines as part of the commercial development such that the total power provided augments: <ul style="list-style-type: none"> • 30 percent of the power needs of the project • 40 percent of the power needs of the project • 50 percent of the power needs of the project • 60 percent of the power needs of the project • 70 percent of the power needs of the project • 80 percent of the power needs of the project • 90 percent of the power needs of the project • 100 percent of the power needs of the project 	8 points 12 points 16 points 19 points 23 points 26 points 30 points 34 points	0
Off-site Renewable Energy Project	The applicant may submit a proposal to supply an off-site renewable energy project such as renewable energy retrofits of existing residential or existing commercial/industrial. These off-site renewable energy retrofit project proposals will be determined on a case-by-case basis accompanied by a detailed plan documenting the quantity of renewable energy the proposal will generate. Point values will be based upon the energy generated by the proposal.	TBD	0
Other Renewable Energy Generation	The applicant may have innovative designs or unique site circumstances (such as geothermal) that allow the project to generate electricity from renewable energy not provided in the table. The ability to supply other renewable energy and the point values allowed would be decided based upon engineering data documenting the ability to generate electricity.	TBD	0
Reduction Measure Water 1-3: Exceed Water Efficiency Standards			
Commercial Irrigation and Landscaping			

Feature	Description	Assigned Point Values	Project Points
Water Efficient Landscaping	<ul style="list-style-type: none"> Eliminate conventional turf from landscaping Only moderate water using plants Only low water using plants Only California Native landscape that requires no or only supplemental irrigation 	0 point 2 points 3 points 5 points	3
Water Efficient Irrigation Systems	<ul style="list-style-type: none"> Low precipitation spray heads < 0.75"/hr or drip irrigation Weather based irrigation control systems combined with drip irrigation (demonstrate 20% reduced water use) 	1 point 3 points	3
Storm Water Reuse Systems	Innovative on-site stormwater collection, filtration, and reuse systems are being developed that provide supplemental irrigation water and provide vector control. These systems can greatly reduce the irrigation needs of a project. Point values for these types of systems will be determined based upon design and engineering data documenting the water savings.	TBD	0
Commercial Potable Water			
Showers	Water Efficient Showerheads (2.0 gpm)	2 points	0
Toilets	<ul style="list-style-type: none"> Water Efficient Toilets/Urinals (1.5 gpm) Waterless Urinals (note that commercial buildings having both waterless urinals and high efficiency toilets will have a combined point value of 6 points) 	3 points 3 points	3
Faucets	Water Efficient faucets (1.28 gpm)	2 points	2
Commercial Dishwashers	Water Efficient dishwashers (20% water savings)	2 points	0
Commercial Laundry Washers	<ul style="list-style-type: none"> Water Efficient laundry (15% water savings) High Efficiency laundry equipment that captures and reuses rinse water (30% water savings) 	2 points 4 points	0
Commercial Water Operations Program	Establish an operational program to reduce water loss from pools, water features, etc., by covering pools, adjusting fountain operational hours, and using water treatment to reduce drawdown and replacement of water. Point values for these types of plans will be determined based upon design and engineering data documenting the water savings.	TBD	0
Increase Commercial/Industrial Reclaimed Water Use			
Recycled Water	Graywater (purple pipe) irrigation system on site	5 points	0
Reduction Measure On Road: Alternative Transportation Options			
Mixed-Use Development			
Mixed-Use	Mixes of land uses that complement one another in a way that reduces the need for vehicle trips can greatly reduce GHG emissions. The point value of mixed-use projects will be determined based upon traffic studies that demonstrate trip reductions and/or reductions in vehicle miles traveled.	TBD	0

Feature	Description	Assigned Point Values	Project Points
Local Retail Near Residential (Commercial only Projects)	Having residential developments within walking and biking distance of local retail helps to reduce vehicle trips and/or vehicle miles traveled. The point value of residential projects in close proximity to local retail will be determined based upon traffic studies that demonstrate trip reductions and/or reductions in vehicle miles traveled.	TBD	0
Preferential Parking			
Parking	<ul style="list-style-type: none"> • Provide reserved preferential parking spaces for car-share, carpool, and ultra-low or zero emission vehicles. • Provide larger parking spaces that can accommodate vans used for ride-sharing programs and reserve them for vanpools and include adequate passenger waiting/loading areas. 	1 point 1 point	1 1
Signal Synchronization and Intelligent Traffic Systems			
Signal Improvements	Techniques for improving traffic flow include traffic signal coordination to reduce delay, incident management to increase response time to breakdowns and collisions, Intelligent Transportation Systems (ITS) to provide real-time information regarding road conditions and directions, and speed management to reduce high free-flow speeds. <ul style="list-style-type: none"> • Synchronize signals along arterials used by project. • Connect signals along arterials to existing ITS. 	1 point/signal 3 points/signal	0
Increase Public Transit			
Public Transit	The point value of a project's ability to increase public transit use will be determined based upon a Transportation Impact Analysis (TIA) demonstrating decreased use of private vehicles and increased use of public transportation. <ul style="list-style-type: none"> • Increased transit accessibility (1–15 points) 	TBD	0
Reduction Measure: Install Electric Vehicle Chargers			
Worker and Customer Based Electric Vehicle Chargers	Installation of Electric Vehicle (EV) Chargers for passenger EVs: <ul style="list-style-type: none"> • Level 2 240-volt AC Fast Chargers (2 for each building) • Level 3 480-volt DC Rapid Chargers 	5 points/charger 8 points/charger	10
Electric Commercial Truck Chargers	Installation of electric chargers for medium duty and heavy-duty trucks: <ul style="list-style-type: none"> • Level 1 AC Chargers for EV Medium Duty Trucks • Level 1 AC Chargers for EV Class 8 (Heavy-Duty) Trucks • Level 2 AC Chargers for EV Medium Duty Trucks • Level 2 AC Chargers for EV Class 8 (Heavy-Duty) Trucks • Level 3 DC Fast Chargers for EV Class 8 (Heavy-Duty) Trucks 	3 points/charger 5 points/charger 8 points/charger 12 points/charger 16 points/charger	0

Feature	Description	Assigned Point Values	Project Points
Reduction Measure: Adopt and Implement a Bicycle Master Plan to Expand Bike Routes around the County			
Sidewalks	<ul style="list-style-type: none"> Provide sidewalks on both sides of the street (required) Provide pedestrian linkage between commercial and residential land uses within 1 mile 	0 points 3 points	0
Bicycle Paths	<ul style="list-style-type: none"> Provide bicycle paths within project boundaries Provide bicycle path linkages between commercial and other land uses Provide bicycle path linkages between commercial and transit 	1 point 2 points 5 points	1
Reduction Measure: Reduce Waste to Landfills			
Recycling	County initiated recycling program diverting 80% of waste requires coordination with commercial development to realize this goal. The following recycling features will help the County fulfill this goal: <ul style="list-style-type: none"> Provide separated recycling bins within each commercial building/floor and provide large external recycling collection bins at central location for collection truck pick-up Provide commercial/industrial recycling programs that fulfills an on-site goal of 80% diversion of solid waste Recycle construction waste 	2 points 5 points 4 points	2 5 4
Other GHG Reduction Feature Implementation			
Other GHG Emissions Reduction Features	This allows innovation by the applicant to provide commercial design features that the GHG emissions from construction and/or operation of the project not provided in the table. Note that engineering data will be required documenting the GHG reduction amount and point values given based upon emission reductions calculations using approved models, methods, and protocols.	TBD	0
Total Points Earned by Project:			104

Standard Conditions and Requirements:

Standard Conditions are existing requirements and standard conditions that are based on local, state, or federal regulations or laws that are frequently required independently of CEQA review. Typical standard conditions and requirements include compliance with the provisions of the Building Code, SCAQMD Rules, etc. The County may impose additional conditions during the approval process, as appropriate. Because Standard Conditions are neither Project specific nor a result of development of the Project, they are not considered to be either PDFs or Mitigation Measures.

SC GHG-1 Require diesel-powered construction equipment to turn off when not in use per Title 13 of the California Code of Regulations, Section 2449.

SC GHG-2 In accordance with California Title 24 Standards, buildings will be designed to have 15 percent of the roof area “solar ready” that will structurally accommodate later installation of rooftop solar panels. If future building operators pursue providing rooftop solar panels, they will submit plans for solar panels prior to occupancy.

- SC GHG-3** Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and sensors for landscaping according to the County's Water Efficient Landscape Requirements (Chapter 22, Section 63.2201 of the County's Code).
- SC GHG-4** Design buildings to be water-efficient. Install water-efficient fixtures in accordance with Section 5.303 of the California Green Building Standards Code Part 11.
- SC GHG-5** Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1 of the California Green Building Standards Code Part 11.
- SC GHG-6** Provide storage areas for recyclables and green waste and adequate recycling containers located in readily accessible areas in accordance with Section 5.410.1 of the California Green Building Standards Code Part 11.
- SC GHG-7** Provide designated parking for any combination of low-emitting, fuel efficient and carpool/van pool vehicles. At least eight percent of the total parking spaces are required to be designated in accordance with Section 5.106.5.2, Designated Parking for Clean Air Vehicles, of the California Green Building Standards Code Part 11.
- SC GHG-8** Provide at least six percent of the total parking spaces to facilitate future installation of electric vehicle supply equipment in accordance with Section 5.106.5.3.2, Multiple Charging Space Requirements, of the California Green Building Standards Code Part 11.
- SC GHG-9** Limit idling time for commercial vehicles to no more than five minutes per Title 13 of the California Code of Regulations, Section 2485.

Mitigation Measures

Refer to **MM AQ-1** through **MM AQ-10** in the Air Quality Assessment. The following additional mitigation is also required.

- MM GHG-1** Project development proposals with building permit applications for tenant improvements shall implement Screening Table Measures that demonstrate that each building achieve at least 100 points per the Screening Tables. The County shall verify that Screening Table Measures achieving the 100-point performance standard are incorporated in development plans prior to the issuance of building permit(s) and/or site plans (as applicable). The County shall verify implementation of the selected Screening Table Measures prior to the issuance of Certificate(s) of Occupancy. At the discretion of the County, measures that provide GHG reductions equivalent to GHG emissions reductions achieved via the Screening Table Measures may be implemented. Multiple development proposals may, at the discretion of the County, be allowed to collectively demonstrate achievement of at least 100 points per the Screening Tables. This mitigation measure applies only to tenant permits and not the building shell approvals.
- MM GHG-2** As part of the building permit for tenant improvements, the Project shall install solar photovoltaic (PV) panels or other source of renewable energy generation on-site, or

otherwise acquire energy from the local utility that has been generated by renewable sources, that would provide at least 50 percent of the expected total building load. On-site solar PV or other clean energy systems shall be installed within two years of commencing operations. Each building shall include an electrical system and other infrastructure sufficiently sized to accommodate the PV arrays. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage. This mitigation measure applies only to tenant permits and not the building shell approvals.

MM GHG-3 Prior to the issuance of a building permit for tenant improvements, the tenant or successor in interest shall provide documentation to the San Bernardino County demonstrating that the Project is designed to achieve Leadership in Energy and Environmental Design (LEED) standards or meet or exceed CALGreen Tier 2 standards in effect at the time of building permit application. This mitigation measure applies only to tenant permits and not the building shell approvals.

MM GHG-4 The development shall divert a minimum of 75 percent of landfill waste. Prior to issuance of tenant occupancy permits, a recyclables collection and load area shall be constructed in compliance with County standards for Recyclable Collection and Loading Areas. This mitigation measure applies only to tenant permits and not the building shell approvals.

MM GHG-5 Prior to the issuance of tenant occupancy permits, the Planning Department shall confirm that tenant lease agreements include contractual language that all handheld landscaping equipment used onsite shall be 100 percent electrically powered. This mitigation measure applies only to tenant permits and not the building shell approvals.

As explained above, the Project incorporates all feasible mitigation measures that could be implemented to further reduce the Project's GHG emissions. There are no additional measures available that would further reduce emissions because the majority of the Project's emissions come from mobile sources which are regulated by the State and not the County of San Bernardino.

Impact 4.8-2 *Would the Project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions?*

Level of Significance: Less than Significant with Mitigation Incorporated

County of San Bernardino Greenhouse Gas Reduction Plan Update

As discussed above, the County's GHG Reduction Plan includes a review standard of 3,000 MTCO₂e per year is used to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions. The purpose of the Screening Tables is to provide guidance in measuring the reduction of GHG emissions attributable to certain design and construction measures incorporated into development projects. As noted above, projects that exceed the 3,000 MTCO₂e/year of GHG emissions are required to either achieve a minimum 100 points per the Screening Tables or a 31 percent reduction over 2007 emissions levels; the applicant may choose to either utilize

the Screening Tables or a project-specific technical analysis. **Table 4.8-4** above shows that each building within the Project would earn 104 points on the County's GHG Screening Tables, which would exceed 100 points. Therefore, the Project would be consistent with the County's GHG emissions reduction plan.

Section 3.7.1: GHG Performance Standards for New Development of the GHG Reduction Plan Update states "This determination of consistency can be used in a CEQA climate change analysis of the development, with provides a legally defensible and streamlined CEQA process for the project." As such the additional discussion provided for RTP and CARB Scoping Plan is provided optionally and further demonstrates the project consistency with applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions.

Regional Transportation Plan/Sustainable Communities Strategy Consistency

On September 3, 2020, SCAG's Regional Council adopted Connect SoCal (2020 RTP/SCS) which embodies a collective vision for the region's future and is developed with input from local governments, county transportation commissions, tribal governments, nonprofit organizations, businesses, and local stakeholders in the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. SCAG's RTP/SCS establishes GHG emissions goals for automobiles and light-duty trucks for 2020 and 2035 as well as an overall GHG target for the Project region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of Executive Orders 5-03-05 and B-30-15.

The RTP/SCS contains over 4,000 transportation projects, ranging from highway improvements, railroad grade separations, bicycle lanes, new transit hubs and replacement bridges. These future investments were included in county plans developed by the six county transportation commissions and seek to reduce traffic bottlenecks, improve the efficiency of the region's network, and expand mobility choices for everyone. The RTP/SCS is an important planning document for the region, allowing project sponsors to qualify for federal funding.

The plan accounts for operations and maintenance costs to ensure reliability, longevity, and cost effectiveness. The RTP/SCS is also supported by a combination of transportation and land use strategies that help the region achieve state GHG emissions reduction goals and Federal Clean Air Act (FCAA) requirements, preserve open space areas, improve public health and roadway safety, support our vital goods movement industry, and utilize resources more efficiently. GHG emissions resulting from development-related mobile sources are the most potent source of emissions, and therefore Project comparison to the RTP/SCS is an appropriate indicator of whether the Project would inhibit the post-2020 GHG reduction goals promulgated by the state. The Project's consistency with the RTP/SCS goals is analyzed in detail in **Table 4.8-5: Regional Transportation Plan/Sustainable Communities Strategy Consistency**.

Table 4.8-5: Regional Transportation Plan/Sustainable Communities Strategy

SCAG Goals	Compliance
GOAL 1: Encourage regional economic prosperity and global competitiveness.	N/A: This is not a project-specific policy and is therefore not applicable. However, the Project is located on a vacant site and development of the site would contribute to regional economic prosperity.
GOAL 2: Improve mobility, accessibility, reliability, and travel safety for people and goods.	Consistent: Although this Project is not a transportation improvement project, the Project is located near existing transit routes such as Omnitrans Route 61 along San Bernardino Avenue and Route 66 along Foothill Boulevard.
GOAL 3: Enhance the preservation, security, and resilience of the regional transportation system.	N/A: This is not a transportation improvement project and is therefore not applicable.
GOAL 4: Increase person and goods movement and travel choices within the transportation system.	N/A: This is not a transportation improvement project and is therefore not applicable. However, the Project includes warehouses and related uses that would support goods movement.
GOAL 5: Reduce greenhouse gas emissions and improve air quality.	Consistent: The Project is located within an industrial area in proximity to existing truck routes and freeways. The Project is surrounded by existing industrial development. Location of the Project within a developed area would reduce trip lengths, which would reduce GHG and air quality emissions.
GOAL 6: Support healthy and equitable communities	Consistent: The Project is located in an industrial area that is away sensitive receptors. Although the Project exceeds regional thresholds for criteria pollutants, the Project does not exceed localized thresholds. Based on the Friant Ranch decision, projects that do not exceed the SCAQMD's LSTs would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and result in no criteria pollutant health impacts.
GOAL 7: Adapt to a changing climate and support an integrated regional development pattern and transportation network.	N/A: This is not a project-specific policy and is therefore not applicable.
GOAL 8: Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	N/A: This is not a project-specific policy and is therefore not applicable.
GOAL 9: Encourage development of diverse housing types in areas that are supported by multiple transportation options.	N/A: The Project involves development of warehouses and related uses and does not include housing.

SCAG Goals		Compliance	
GOAL 10:	Promote conservation of natural and agricultural lands and restoration of habitats.	N/A:	This Project is located on previously disturbed/developed land and is not located on agricultural lands.
Source: Southern California Association of Governments. 2020. <i>Connect SoCal (2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy)</i> .			

The goals stated in the RTP/SCS were used to determine consistency with the planning efforts previously stated. As shown in **Table 4.8-5**, the Project would be consistent with the stated goals of the RTP/SCS. Therefore, the Project would not result in any significant impacts or interfere with SCAG's ability to achieve the region's post-2020 mobile source GHG reduction targets.

California Air Resource Board Scoping Plan Consistency

The California State Legislature adopted AB 32 in 2006. AB 32 focuses on reducing GHGs (CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, CARB adopted the *Climate Change Scoping Plan* (Scoping Plan) in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan provides a range of GHG reduction actions that include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as the cap-and-trade program, and an AB 32 implementation fee to fund the program.

The 2017 Scoping Plan Update identifies additional GHG reduction measures necessary to achieve the 2030 target. These measures build upon those identified in the first update to the Scoping Plan in 2013. Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these actions to reduce GHG emissions will be adopted as required to achieve statewide GHG emissions targets. As shown in **Table 4.8-6: Project Consistency with Applicable CARB Scoping Plan Measures**, the Project is consistent with most of the strategies, while others are not applicable to the Project. As such, impacts related to consistency with the Scoping Plan would be less than significant.

Table 4.8-6: Project Consistency with Applicable Scoping Plan Measures

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Transportation	California Cap-and-Trade Program Linked to Western Climate Initiative	Regulation for the California Cap on GHG Emissions and Market-Based Compliance Mechanism October 20, 2015 (CCR 95800)	Consistent. The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers. However, the regulation indirectly affects people who use the products and services produced by these industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
			usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and combustion of other fossil fuels not directly covered at large sources in the Program’s first compliance period.
	California Light-Duty Vehicle GHG Standards	Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles	Consistent. This measure applies to all new vehicles starting with model year 2012. The Project would not conflict with its implementation as it would apply to all new passenger vehicles purchased in California. Passenger vehicles, model year 2012 and later, associated with construction and operation of the Project would be required to comply with the Pavley emissions standards.
		2012 LEV III California GHG and Criteria Pollutant Exhaust and Evaporative Emission Standards	Consistent. The LEV III amendments provide reductions from new vehicles sold in California between 2017 and 2025. Passenger vehicles associated with the site would comply with LEV III standards.
	Low Carbon Fuel Standard	2009 readopted in 2015. Regulations to Achieve GHG Emission Reductions Subarticle 7. Low Carbon Fuel Standard CCR 95480	Consistent. This measure applies to transportation fuels utilized by vehicles in California. The Project would not conflict with implementation of this measure. Motor vehicles associated with construction and operation of the Project would utilize low carbon transportation fuels as required under this measure.
	Regional Transportation-Related GHG Targets.	SB 375. Cal. Public Resources Code §§ 21155, 21155.1, 21155.2, 21159.28	Consistent. The Project would provide development in the region that is consistent with the growth projections in the RTP/SCS.
	Goods Movement	Goods Movement Action Plan January 2007	Not applicable. The Project does not propose any changes to maritime, rail, or intermodal facilities or forms of transportation.
	Medium/Heavy-Duty Vehicle	2010 Amendments to the Truck and Bus Regulation, the Drayage Truck Regulation and the Tractor-Trailer GHG Regulation	Consistent. This measure applies to medium and heavy-duty vehicles that operate in the state. The Project would not conflict with implementation of this measure. Medium and heavy-duty vehicles associated with construction and operation of the Project would be required to comply with the requirements of this regulation.
	High-Speed Rail	Funded under SB 862	Not applicable. This is a statewide measure that cannot be implemented by a project applicant or Lead Agency.

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Electricity and Natural Gas	Energy Efficiency	Title 20 Appliance Efficiency Regulation	Consistent. The Project would not conflict with implementation of this measure. The Project would comply with the latest energy efficiency standards.
		Title 24 Part 6 Energy Efficiency Standards for Residential and Non-Residential Building	
		Title 24 Part 11 California Green Building Code Standards	
	Renewable Portfolio Standard/Renewable Electricity Standard.	2010 Regulation to Implement the Renewable Electricity Standard (33% 2020)	Consistent. The Project would obtain electricity from the electric utility, Southern California Edison (SCE). SCE obtained 36 percent of its power supply from renewable sources in 2019. Therefore, the utility would provide power when needed on-site that is composed of a greater percentage of renewable sources.
Million Solar Roofs Program	SB 350 Clean Energy and Pollution Reduction Act of 2015 (50% 2030)		
Million Solar Roofs Program	Tax Incentive Program	Consistent. This measure is to increase solar throughout California, which is being done by various electricity providers and existing solar programs. The program provides incentives that are in place at the time of construction.	
Water	Water	Title 24 Part 11 California Green Building Code Standards	Consistent. The Project would comply with the CalGreen standards, which requires a 20 percent reduction in indoor water use. The Project would also comply with the City's Water-Efficient Landscaping Regulations (Chapter 22, Section 63.2201 of the County's Code).
		SBX 7-7—The Water Conservation Act of 2009	
		Model Water Efficient Landscape Ordinance	
Green Buildings	Green Building Strategy	Title 24 Part 11 California Green Building Code Standards	Consistent. The State is to increase the use of green building practices. The Project would implement required green building strategies through existing regulation that requires the Project to comply with various CalGreen requirements. The Project includes sustainability design features that support the Green Building Strategy.
Industry	Industrial Emissions	2010 CARB Mandatory Reporting Regulation	Not applicable. The Mandatory Reporting Regulation requires facilities and entities with more than 10,000 MTCO ₂ e of combustion and process emissions, all facilities belonging to certain industries, and all electric power entities to submit an annual GHG emissions data report directly to CARB. As shown above, although total Project GHG emissions would exceed 10,000 MTCO ₂ e, the majority of these emissions are from mobile sources. Therefore, this regulation would not apply.

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Recycling and Waste Management	Recycling and Waste	Title 24 Part 11 California Green Building Code Standards	Consistent. The Project would not conflict with implementation of these measures. The Project is required to achieve the recycling mandates via compliance with the CALGreen code. The City has consistently achieved its state recycling mandates.
		AB 341 Statewide 75 Percent Diversion Goal	
Forests	Sustainable Forests	Cap and Trade Offset Projects	Not applicable. The Project is in an area designated for urban uses. No forested lands exist on-site.
High Global Warming Potential	High Global Warming Potential Gases	CARB Refrigerant Management Program CCR 95380	Consistent. The regulations are applicable to refrigerants used by large air conditioning systems and large commercial and industrial refrigerators and cold storage system. The Project would not conflict with the refrigerant management regulations adopted by CARB.
Agriculture	Agriculture	Cap and Trade Offset Projects for Livestock and Rice Cultivation	Not applicable. The Project site is designated for urban development. No grazing, feedlot, or other agricultural activities that generate manure occur currently exist on-site or are proposed to be implemented by the Project.
Sources: California Air Resources Board. 2017. <i>California's 2017 Climate Change Scoping Plan 2017</i> and CARB. 2008. <i>Climate Change Scoping Plan</i> .			

As seen in **Table 4.8-5** and **Table 4.8-6**, the Project would be consistent with all applicable plan goals. In addition, the Project would include several sustainable design features that would help reduce GHG emissions. **Table 4.8-3** shows that with mitigation the Project at buildout with mitigation is estimated to emit approximately 207,327 MTCO₂e per year in the opening year directly from on-site activities and indirectly from off-site motor vehicles.

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the proposed Project would benefit from the implementation of current and potential future regulations (e.g., improvements in vehicle emissions, SB 100/renewable electricity portfolio improvements, CARB's Mobile Source Strategy, etc.) enacted to meet an 80 percent reduction below 1990 levels by 2050.

The majority of the GHG reductions from the Scoping Plan would result from continuation of the Cap-and-Trade regulation. Assembly Bill 398 (2017) extends the state's Cap-and-Trade program through 2030 and the Scoping Plan provide a comprehensive plan for the state to achieve its GHG targets through a variety of regulations enacted at the state level. Additional reductions are achieved from electricity sector standards (i.e., utility providers to supply 60 percent renewable electricity by 2030 and 100 percent renewable by 2045), doubling the energy efficiency savings at end uses, additional reductions from the LCFS, implementing the short-lived GHG strategy (e.g., hydrofluorocarbons), and implementing the Mobile Source Strategy and Sustainable Freight Action Plan.

As noted above, mobile sources comprise approximately 82 percent of the Project's unmitigated GHG emissions and approximately 92 percent of the mitigated emissions. CARB is directly responsible for regulating mobile and transportation source emissions in the State. Regarding mobile sources, California addresses emissions control technology through a variety of legislation and regulatory schemes, including the state's Low Carbon Fuel Standard (Executive Order S-01-07) (LCFS), a regulatory program designed to encourage the use of cleaner low-carbon transportation fuels in California, encourage the production of those fuels, and therefore, reduce GHG emissions and decrease petroleum dependence in the transportation sector. The regulatory standards are expressed in terms of the "carbon intensity" of gasoline and diesel fuel and their substitutes. Different types of fuels are evaluated to determine their "lifecycle emissions" which include the emissions associated with producing, transporting, and using the fuels. Each fuel is then given a carbon intensity score and compared against a declining carbon intensity benchmark for each year. Providers of transportation fuels must demonstrate that the mix of fuels they supply for use in California meets these declining benchmarks for each annual compliance period. In 2018, CARB approved amendments to the LCFS, which strengthened the carbon intensity benchmarks through 2030 to ensure they are in-line with California's 2030 GHG emission reduction target enacted through SB 32. This ensures that the transportation sector is meeting its obligations to achieve California's GHG reduction targets. The state is also implementing legislation and regulations to address the second parameter affecting transportation related GHG emissions by controlling for VMT. Examples of this include SB 375, which links land use and transportation funding and provides one incentive for regions to achieve reductions in VMT, and SB 743, which discourages VMT increases for passenger car trips above a region-specific benchmark. San Bernardino County has no regulatory control over emissions control technology and therefore limited ability to control or mitigate emissions associated with truck emissions associated with this Project.

In addition to the LCFS, the State includes numerous plans and policies that would contribute to a reduction in mobile source emissions from the Project. These include the following:

- **CARB's Advanced Clean Truck Regulation:** Adopted in June 2020, CARB's Advanced Clean Truck Regulation requires truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8.
- **Executive Order N-79-20:** Executive Order N-79-20 establishes the goal for all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035 and all medium and heavy-duty vehicles will be zero-emission by 2045. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment "requiring increasing volumes" of new ZEVs "towards the target of 100 percent."
- **CARB's Mobile Source Strategy:** CARB's Mobile Source Strategy takes an integrated planning approach to identify the level of transition to cleaner mobile source technologies needed to achieve all of California's targets by increasing the adoption of ZEV buses and trucks.

- **CARB's Sustainable Freight Action Plan:** The Sustainable Freight Action Plan which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks. This Plan applies to all trucks accessing the Project site and may include existing trucks or new trucks that are part of the statewide goods movement sector.
- **CARB's Emissions Reduction Plan for Ports and Goods Movement:** CARB's Emissions Reduction Plan for Ports and Goods Movement identifies measures to improve goods movement efficiencies such as advanced combustion strategies, friction reduction, waste heat recovery, and electrification of accessories.

While these measures are not directly applicable to the Project, any commercial activity associated with goods movement would be required to comply with these measures as adopted. As such, the Project would not interfere with their implementation.

The Project would not obstruct or interfere with efforts to increase ZEVs or state efforts to improve system efficiency. As described above, the Project would be consistent with all applicable plan goals. Compliance with applicable State standards (e.g., continuation of the Cap-and-Trade regulation; CARB's Mobile Source Strategy, Sustainable Freight Action Plan, and Advanced Clean Truck Regulation; Executive Order N-79-20; SB 100/renewable electricity portfolio improvements that require 60 percent renewable electricity by 2030 and 100 percent renewable by 2045, etc.) would ensure consistency with State and regional GHG reduction planning efforts.

As discussed above, extensive PDFs and **MM AQ-3** through **MM AQ-10** as identified in the Project's Air Quality Assessment, would reduce mobile source emissions and would support the State's transition to ZEVs by requiring electrical hookups at all loading bays, promoting the use of alternative fuels and clean fleets, requiring electric vehicle charging stations and/or infrastructure to support the future installation of truck charging stations. The Project would also benefit from implementation of the State programs for ZEVs and goods movement efficiencies that reduce future GHG emissions from trucks.

SC GHG-1 through SC GHG-9, as required by the California Building Code, address non-mobile source emissions, and would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of electric vehicle supply equipment, and limit idling times. The Project's PDFs also address non-mobile emissions by designing buildings to provide environmental design features, incorporate energy and water conservation measures, and provide electrical, heating, ventilation, lighting, and power systems that meet CALGreen Standards. Additionally, **MM GHG-3** requires the Project to meet or exceed CALGreen Tier 2 standards, which exceeds code requirements). Further, the Project would offset energy demand with solar PV infrastructure (**MM GHG-2**), divert 75 percent of solid waste from landfills (**MM GHG-4**) and require handheld landscape equipment to be 100 percent electric (**MM GHG-5**). Additionally, **MM AQ-9** in the Project's Air Quality Assessment requires the Project use electric outdoor cargo handling equipment.

In conclusion, the Project does not conflict with the applicable plans that are discussed above and therefore with respect to this threshold, impacts are less than significant.

Mitigation Measures

Refer to **MM AQ-3** through **MM AQ-10** in the Air Quality Assessment and **MM GHG-1** through **MM GHG-5**, above.

4.8.6 Cumulative Impacts

Cumulative Setting

Climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and TACs, which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have much longer atmospheric lifetimes of one year to several thousand years that allow them to be dispersed around the globe.

Cumulative Impacts

It is generally the case that an individual project of this size and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. The additive effect of Project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. As discussed above, the Project-related GHG emissions would exceed the County's 3,000 MTCO₂e review standard. As such, the Project is required to achieve a minimum 100 points per the County's GHG Emissions Reduction Plan Screening Tables. According to the County's 2021 GHG Emissions Reduction Plan Update, any project that adopts at least 100 points of GHG performance standards listed in the proposed 2021 Screening Tables would be consistent with the County's GHG Emissions Reduction Plan to reduce emissions to 40 percent below 2007 levels. Meeting this reduction would be consistent with the State's long-term goal to achieve statewide carbon neutrality (zero net emissions) by 2045, and therefore, would result in a less than significant impact related to GHG emissions. As discussed above, and shown in **Table 4.8-4**, each building within the proposed Project would earn 104 points on the County's GHG Screening Tables, which would exceed 100 points. **MM GHG-1** through **MM GHG-5** have been included to ensure application of the GHG reduction measures. As such, the Project would be consistent with the State's long-term goal to achieve statewide carbon neutrality by 2045. However, as discussed above, due to the Project emissions and the fact that 86 percent of the emissions are from mobile sources, the Project's GHG emissions would be cumulatively considerable. As noted above, mobile sources are regulated at the State and Federal level and the Project has no control over these standards. The reduction of mobile source and warehouse emissions are being addressed by various CARB and SCAQMD regulations. Mitigation measures would be required to reduce Project emissions to the maximum extent feasible. However, despite Project Design Features, Standard Conditions, Mitigation Measures and CARB and SCAQMD efforts to reduce mobile source emissions, the Project would result in a potentially significant cumulative GHG impact.

4.8.7 Significant Unavoidable Impacts

Despite consistency with the County's GHG Reduction Plan and compliance with various CARB and SCAQMD emissions reduction programs, the Project's emissions would be considered significant and unavoidable despite the implementation of PDFs, SCs, and MMs.

4.8.8 References

- California Air Resources Board. *Appendix B: Emissions Estimation Methodology of On-Road Diesel-Fueled Heavy-Duty Drayage Trucks at California Ports and Intermodal Rail Yards*. Table II-7. https://ww3.arb.ca.gov/msei/onroad/downloads/drayage_trucks/appbf.pdf.
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4.9 HAZARDS AND HAZARDOUS MATERIALS

4.9.1 Introduction

This section of the EIR identifies and evaluates potential impacts related to hazards and hazardous materials that could result from implementation of the Project. As discussed in **Section 3.0: Project Description**, the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project) would develop e-commerce, high-cube logistics, parking field and drop lot areas, and ancillary commercial facilities. The current conditions (site conditions at the time of Notice of Preparation [NOP] distribution [December 13, 2021]) were used as the baseline against which to compare potential impacts associated with implementation of the Project. The information and analysis herein rely on the following analysis found in **Appendix I** of this EIR.

- Geosyntec Consultants. 2020. *Summary Assessment of Environmental Conditions and Land Use Restrictions at the Auto Club Speedway Property, 9300 Cherry Avenue, Fontana, California 92335.*

4.9.2 Environmental Setting

Historical Site Usage

According to the Summary Assessment, the Project site is located within the former boundaries of the Kaiser Steel Mill, which originally occupied approximately 1,200 acres in Fontana. However, areas along the northern and eastern Project site boundaries remained agricultural and/or vacant land until approximately 1966.

The Kaiser Steel Mill operated for approximately 41 years from 1942 to 1983. At the time of its closing, portions of the plant's property were sold to new buyers and the land was kept vacant until 1995 with the development of the Auto Club Speedway (ACS; formerly the California Speedway). The Kaiser Steel Mill property included two main plants, a primary product unit and a rolling mill. The facilities were used to produce various steel products before the plant was decommissioned. Steel production processes generated various wastes, some of which were disposed on-site into waste pits, sludge beds, and/or slag piles. Hazardous materials were identified on the former Kaiser Steel Mill property at the time of the plant's decommissioning and deconstruction in 1983. An environmental assessment at the property was conducted in 1985, with subsequent investigations in 1988 and 1989. Thirty-two areas were investigated, with 12 areas determined to require no further action and 20 areas recommended for further remedial investigation. In 1990, the 20 areas were evaluated and three areas were identified as requiring additional investigation and remediation. These three areas underwent separate investigations and remediation was conducted as a result. Remediation was completed in these three areas after their individual investigations. These three areas and their remediations are:

- The By-products Plant and East Slag Pile Landfill: additional investigation and remediation
- Cooling Tower Sludge Pit: limited material removal
- Furnace Dust and Mill Scale Piles: limited material removal

Groundwater assessments were conducted on the former Kaiser Steel Mill property from 1986 to 1993 and included the monitoring of total organic carbon (TOC) groundwater plumes and total dissolved solids

(TDS) which were both present on the site and migrating beyond the plant's boundaries. Remediation for the groundwater contamination was created and implemented through coordination with the Regional Water Quality Control Board (RWQCB), the U.S. Environmental Protection Agency (U.S. EPA), and the California Department of Toxic Substances Control (DTSC) (formerly the California Department of Health Services). The mitigation involved the creation of four Operable Units (OUs) in 1988 that spanned approximately 800 acres of the original 1,200-acre Kaiser Steel Mill property. A fifth and final OU was created in 2008. Unlike the previous four OUs, OU-5 was created to address potential groundwater contaminants other than TDS and TOC. This OU includes 32 groundwater monitoring wells and encompasses the entire former Kaiser Steel Mill property. In 2008, groundwater was initially encountered at depths of approximately 350 to 450 feet below ground surface (bgs). Groundwater monitoring has continued at the site. According to **Section 4.7: Geology and Soils**, on-site groundwater monitoring wells measured groundwater depths to be between 425 and 450 feet bgs and were last measured on February 13, 2019 by Western Municipal Water District (WMWD) as part of their Cooperative Well Measuring Program. The southern portion of the former Kaiser Steel Mill is being used by California Steel Corporation for steel production. The existing ACS occupies parcels on the northern portion of the former Kaiser Steel Mill. In 1995, California Speedway, LLC began construction of the ACS in the northern portion of the former plant. The first NASCAR race took place in June 1997, and in 2008 the facility was renamed Auto Club Speedway.

Site Characteristics and Current Use

The Project site consists of ten parcels (Assessor Parcel Numbers [APNs] 0231-011-09, 0231-011-10, 0231-011-11, 0231-011-12, 0231-111-06, 0231-111-10, 0231-111-17, 0231-111-18, 0231-111-19, and 0231-111-20).

The Project site is currently developed for motor speedway uses, including a 2-mile oval track. The northern portion of the site is developed with a portion of the ACS racetrack and drag strip. The eastern portion of the Project site contains an office building, a maintenance building, and a kitchen. The southern portion of the site contains portions of a grandstand building and the southwest portion of the Project site contains the CalSpeed Karting Center, Steel City RC Speedway, offices, and storage sheds. Additionally, antenna systems owned by Verizon Wireless and the American Tower Corporation are located on-site. Finally, the southwest portion of the Project site also contains a stormwater drainage basin for the Auto Club Speedway and an active rail line. An easement for the Metropolitan Water District Upper Feeder water pipeline is present beneath the central portion of the property and three access points for pipeline maintenance are located on-site.

Environmental Conditions and Restrictions

Geosyntec conducted a review of available documents on the DTSC's ENVIROSTOR website for the former Kaiser Steel Mill located at 9400 Cherry Avenue, Fontana, California. The purpose of the review was to identify land use covenants (LUC) on portions of the former Kaiser Steel Mill owned by California Speedway, LLC.

The following section describes the known current environmental conditions for the Project Site, or Speedway Property, and summarizes existing land use covenants (LUCs) and limitations. Pertaining to the Kaiser Steel Mill remediation referenced above, the Project contains portions of OU-1 with the Former Heckett Slag Processing Area, and the Southwest Parcel; and encompasses OU-2 (Figure 12 of **Appendix I**), containing the By-Products Area, the Blast Furnace Sumps (Figure 13 of **Appendix I**).

Operable Unit No.1 Former Heckett Slag Processing Area – Parcel 09

The Former Heckett Slag Processing Area is located within the northeastern portion of OU-1 and northern portion of OU-2 (Figure 12 of **Appendix I**). The Former Heckett Slag Processing Area covers approximately 35 acres that was formerly used for processing and storing steel mill slag. The slag was crushed, screened and stockpiled, then sold for construction use in road base and railroad ballast. Sampling in the area as part of the site-wide investigation in 1995, demonstrated the presence of metals and polyaromatic hydrocarbons (PAHs) in surficial soils. A health risk assessment based on on-site residential exposure scenario, indicated “concentrations were within an acceptable risk range to protect human health” (DTSC, 1995 as cited in Geosyntec, 2020). GeoSyntec reviewed the 1995 data and confirmed concentrations in soils are below current regulatory screening levels applicable to the site. As an additional remedial measure, residual slag was either removed and used to construct the California Speedway, or buried at depths of 20 feet below ground surface (bgs). Subsequently, the DTSC concluded that residual contaminants are within the acceptable risk range to protect human health and the environment, and certified that no further action was necessary.

Operable Unit No. 1 - Southwest Corner Parcel – Parcel 09

The Southwest Corner Parcel is approximately 9 acres and located in the southwest corner of the Project, within Parcel 09 (Figure 4 of **Appendix I**). The parcel was split into the Westside Area and the Eastside Area by a rail line running north-south (Figure 14 of **Appendix I**). Three additional rail spurs were also present diverging from or onto, the north-south rail line during investigation and remediation activities in the mid-1990s. The north-south rail line and the rail spur in the Westside Area are currently present, while the other two rail spurs are no longer present. The Westside Area was used for stockpiling red mill scale, slag and other recyclable products from the steel making process. The Eastside Area was used to stockpile gray dust or filter cake material from Kaiser Steel’s emission control equipment. A risk screening analysis of background metals conducted for the Project site concluded that the carcinogenic risks were within remedial health goals.

Operable Unit No. 2 – Main Speedway Property

OU-2 consists of approximately 340 acres of the northern portion of the former Kaiser Steel plant and contained the By-products Area (Figure 13 of **Appendix I**). This area included an approximately 16-acre portion in which volatile portions of the coking operations were processed to produce other valuable materials or by-products. Approximately 18 single-walled, steel, underground storage tanks (USTs) of either 10,000- or 20,000-gallon capacity were located in the By-products Area. These USTs contained light oils, motor fuels, and various aromatic hydrocarbons. Soils in the area had elevated concentrations of PAHs and volatile organic compounds (VOCs).

Three groundwater monitoring wells were installed to a depth of approximately 385 to 410 feet bgs within OU-2. The concrete or asphalt paving (Cap), vapor extraction system (VES), gas collection system (GCS) and groundwater monitoring wells were collectively referred to as Response Structures. On completion of remedial activities and installation of the Response Structures, long term monitoring and maintenance of these Response Structures was initiated in agreement with the DTSC in 1995.

For more information on OU-1 and OU-2 and the current uses, environmental conditions, and deed restrictions, see **Appendix I**.

Discussion of Key Findings and Observations

Based on the review of available documents on the DTSC ENVIROSTOR website for the Project, the following LUCs have been identified (also illustrated in Figure 16 of **Appendix I**):

- Several areas of the Project were subject to historical remediation activities, and with the exception of ongoing groundwater monitoring, all areas have received no further action designation from the DTSC or “closure” OU-2 received closure with LUCs .
- The Capped Property located in the infield of the racetrack and beneath garages has a LUC. The Capped Property is located outside of the Project site and would not be affected by the proposed Project.
- The Restricted Properties are located under the racetrack grandstands and portions of the parking lot abutting the racetrack have LUCs. Specifically, hazard areas 3, 4 and 8 are part of the project.
- The Southwest Corner parcel of the Site appears to be used for flood management and may be subject to permitting requirements of the San Bernardino County Flood Control District.

4.9.3 Regulatory Setting

The management of hazardous materials and hazardous wastes is regulated at federal, state, regional, and local levels, including, among others, through programs administered by the U.S. EPA; agencies within the California Environmental Protection Agency (CalEPA), such as the DTSC; federal and state occupational safety agencies; and the San Bernardino County Division of Environmental Health Services (DEHS). Regulations pertaining to flood hazards are discussed in **Section 4.10: Hydrology and Water Quality** and regulations for geologic and soil-related hazards are discussed in **Section 4.7: Geology and Soils**.

At the federal level, the U.S. EPA is the principal regulatory agency, while at the state level, DTSC is the primary agency governing the storage, transportation, and disposal of hazardous wastes. The Santa Ana RWQCB has jurisdiction over discharges into waters of the state. The federal Occupational Safety and Health Administration (OSHA) and the state Cal-OSHA regulate many aspects of worker safety.

Federal

Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act

The Federal Toxic Substances Control Act of 1976 and RCRA established a program administered by the U.S. EPA for the regulation of the generation, transportation, treatment, storage, and disposal of

hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the “cradle to grave” system of regulating hazardous wastes.

Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law (U.S. Code Title 42, Chapter 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites; provides for liability of persons responsible for releases of hazardous waste at these sites; and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enables the revision of the National Contingency Plan (NCP). The NCP (Title 40, CFR, Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The NCP also established the NPL. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

Comprehensive Environmental Response, Compensation, and Liability Information System and the National Priorities List

The U.S. EPA also maintains the Comprehensive Environmental Response Compensation (CERCLIS) and Liability Information System list. This list contains sites that are either proposed to be or on the NPL, as well as sites that are in the screening and assessment phase for possible inclusion on the NPL. The NPL is a list of the worst hazardous waste sites that have been identified by Superfund.

Emergency Planning and Community Right-to-Know Act

The Federal Emergency Planning and Community Right-To-Know Act (EPCRA) was enacted to inform communities and residents of chemical hazards in their area. Businesses are required to report the locations and quantities of chemicals stored on-site to both state and local agencies. EPCRA requires the U.S. EPA to maintain and publish a digital database list of toxic chemical releases and other waste management activities reported by certain industry groups and Federal facilities. This database, known as the Toxic Release Inventory, gives the community more power to hold companies accountable for their chemical management.

Hazardous Materials Transportation Act

The U.S. Department of Transportation (DOT) receives authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act, as amended and codified (49 U.S. Code [USC] 5101 et seq.). The DOT is the primary regulatory authority for the interstate transport of hazardous materials and establishes regulations for safe handling procedures (i.e., packaging, marking, labeling, and routing).

In California, Section 31303 of the California Vehicle Code states that any hazardous material being moved from one location to another must use the route with the least travel time. This, in practice, means major

roads and highways, although secondary roads are permitted to be used for local delivery. These policies are enforced by both the California Highway Patrol and the California Department of Transportation (Caltrans).

Clean Water Act/SPCC Rule

The Clean Water Act (CWA) (33 USC § 1251 et seq., formerly the Federal Water Pollution Control Act of 1972), was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the U.S. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface water. Those discharges are regulated by the NPDES permit process (CWA § 402). In California, NPDES permitting authority is delegated to, and administered by, the nine RWQCBs. The Project is within the jurisdiction of the Santa Ana RWQCB.

Section 402 of the CWA authorizes the SWRCB to issue NPDES General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the “General Construction Permit.” Construction activities can comply with and be covered under the General Construction Permit provided that they:

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

NPDES regulations are administered by the RWQCB. Projects that disturb one or more acres are required to obtain NPDES coverage under the Construction General Permits.

As part of the CWA, the U.S. EPA oversees and enforces the Oil Pollution Prevention regulation contained in Title 40 of the CFR, Part 112 (Title 40 CFR, Part 112), which is often referred to as the “SPCC rule” because the regulations describe the requirements for facilities to prepare, amend, and implement Spill Prevention and Countermeasures (SPCC) Plans. A facility is subject to SPCC regulations if a single oil (or gasoline, or diesel fuel) storage tank has a capacity greater than 660 gallons, the total above ground oil storage capacity exceeds 1,320 gallons, or the underground oil storage capacity exceeds 42,000 gallons, and if, due to its location, the facility could reasonably be expected to discharge oil into or upon the “Navigable Waters” of the U.S.

Occupational Safety and Health Administration

Congress passed 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. To establish standards for workplace health and safety, OSHA also created the National Institute for Occupational Safety and Health as the research institution for OSHA. The Administration is a

division of the U.S. Department of Labor that oversees the Administration of OSHA and enforces standards in all states. OSHA standards are listed in Title 29 CFR Part 1910.

OSHA's Hazardous Waste Operations and Emergency Response Standard apply to five groups of employers and their employees. This includes any employees who are exposed or potentially exposed to hazardous substances (including hazardous waste) and who are engaged in clean-up operations; corrective actions; voluntary clean-up operations; operations involving hazardous wastes at treatment, storage, and disposal facilities; and emergency response operations.

Requirements for Phase I Environmental Site Assessments

Phase I Environmental Site Assessments are required for land purchasers to qualify for the Innocent Landowner Defense under CERCLA, to minimize environmental liability under other laws such as RCRA, and as a lender prerequisite to extend a loan for purchase of land.

State

California Environmental Protection Agency

CalEPA has jurisdiction over hazardous materials and wastes at the State level. DTSC is the department of CalEPA responsible for implementing and enforcing California's own hazardous waste laws, which are known collectively as the Hazardous Waste Control Law. DTSC regulates hazardous waste in California primarily under the authority of the Federal RCRA and the California Health and Safety Code (HSC) (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Although similar to RCRA, the California Hazardous Waste Control Law and its associated regulations define hazardous waste more broadly and regulate a larger number of chemicals. Hazardous wastes regulated by California but not by the U.S. EPA are called "non-RCRA hazardous wastes." Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. California Government Code (CGC) § 65962.5 (commonly referred to as the Cortese List) which includes DTSC-listed hazardous waste facilities and sites, Department of Health Services lists of contaminated drinking water wells, sites listed by the SWRCB as having UST leaks and have had a discharge of hazardous wastes or materials into the water or groundwater and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

Enforcement of directives from DTSC is handled at the regional level, in this case the San Bernardino County DEHS. The RWQCB also has the authority to implement regulations regarding the management of soil and groundwater investigation.

Regional Water Quality Control Board

The RWQCB is a department of CalEPA that oversees investigation and cleanup of sites including USTs where wastes have been discharged in order to protect the water quality of the state. The RWQCB regulates wastewater discharges to surface waters and to groundwater. They also regulate storm water discharges from construction, industrial, and municipal activities. The RWQCB is the lead regulatory agency for the Project site.

California Department of Forestry and Fire Protection

CAL FIRE has mapped fire threat potential throughout California. CAL FIRE ranks fire threats based on the availability of fuel and the likelihood of an area burning (based on topography, fire history, and climate). The rankings include no fire threat, moderate, high, and very high fire threat.

California Fire Code

California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code, contains the California Fire Code (CFC), included as Title 24, Part 9. The CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution.

Hazardous Materials Release Response Plans and Inventory Act of 1985

The California HSC, Division 20, Chapter 6.95, known as the Hazardous Materials Release Response Plans and Inventory Act or the Business Plan Act, requires businesses using hazardous materials to prepare a plan that describes their facilities, inventories, emergency response plans, and training programs. Businesses must submit this information to the County DEHS. The Environmental Health Division verifies the information and provides it to agencies responsible for protection of public health and safety and the environment. Business Plans are required to include emergency response plans and procedures in the event of a reportable release or threatened release of hazardous materials, including, but not limited to, all of the following:

- Immediate notification to the administering agency and to the appropriate local emergency rescue personnel.
- Procedures for the mitigation of a release or threatened release to minimize any potential harm or damage to persons, property, or the environment.
- Evacuation plans and procedures, including immediate notice, for the business site.

Business Plans are also required to include training for all new employees, and annual training, including refresher courses, for all employees in safety procedures in the event of a release or threatened release of hazardous material.

Hazardous Waste Control Act

The Hazardous Waste Control Act created the state hazardous waste management program, which is similar to but more stringent than the federal RCRA program. The act is implemented by regulations contained in Title 26 of the CCR, which describes the following required aspects for the proper management of hazardous waste: identification and classification; generation and transportation; design and permitting of recycling, treatment, storage, and disposal facilities; treatment standards; operation of facilities and staff training; and closure of facilities and liability requirements. These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. Under the Hazardous Waste Control Act and Title 26, the generator of hazardous waste must complete a manifest that accompanies the waste from generator to transporter to the ultimate disposal location. Copies of the manifest must be filed with the DTSC.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) required the administrative consolidation of six hazardous materials and waste programs (Program Elements) under one agency, a Certified Unified Program Agency (CUPA). The Program Elements consolidated under the Unified Program are Hazardous Waste Generator and On-site Hazardous Waste Treatment Programs (a.k.a. Tiered Permitting); Aboveground Petroleum Storage Tank SPCC; Hazardous Materials Release Response Plans and Inventory Program (a.k.a. Hazardous Materials Disclosure or “Community-Right-To-Know”); California Accidental Release Prevention Program (Cal ARP); UST Program; and Uniform Fire Code Plans and Inventory Requirements.

The Unified Program is intended to provide relief to businesses complying with the overlapping and sometimes conflicting requirements of formerly independently managed programs. The Unified Program is implemented at the local government level by CUPAs. Most CUPAs have been established as a function of a local environmental health or fire department. Some CUPAs have contractual agreements with another local agency, a participating agency, which implements one or more Program Elements in coordination with the CUPA. The Project site is located within San Bernardino County. The CUPA designated for San Bernardino County is the Hazardous Materials Division of the San Bernardino County Fire Department.

Department of Toxic Substance Control

As previously described in this section, DTSC is a department of CalEPA and is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. CGC § 65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, Department of Health Services lists of contaminated drinking water wells, sites listed by the SWRCB as having UST leaks and have had a discharge of hazardous wastes or materials into the water or groundwater and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

The DTSC publishes guidelines which are intended to regulate the presence of toxic materials while minimizing risks to sensitive human receptors. These publications and policies include the Toxicity Criteria Selection for Risk Assessments, Screening Levels, and Remediation Goals; Preliminary Endangerment Assessment Guidance Manual (PEA Guidance Manual); and Human Health Risk Assessment Note 3 – DTSC-Modified Screening Levels (DTSC-SLs). Adherence to the regulations within these guidelines ensures the continued protection of human receptors from potential hazards and risks.

California Office of Emergency Services

To protect the public health and safety and the environment, the California Office of Emergency Services (OES) is responsible for establishing and managing statewide standards for business and area plans relating to the handling and release or threatened release of hazardous materials. Basic information on hazardous materials handled, used, stored, or disposed of (including location, type, quantity, and the

health risks) needs to be available to firefighters, public safety officers, and regulatory agencies. The information must be included in these institutions' business plans to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of these materials into the workplace and environment.

These regulations are covered under Chapter 6.95 of the California HSC Article 1 – Hazardous Materials Release Response and Inventory Program (§§ 25500 to 25520) and Article 2 – Hazardous Materials Management (§§ 25531 to 25543.3). CCR Title 19, Public Safety, Division 2, Office of Emergency Services, Chapter 4 – Hazardous Material Release Reporting, Inventory, and Response Plans, Article 4 (Minimum Standards for Business Plans) establishes minimum statewide standards for Hazardous Materials Business Plans (HMBP). These plans shall include the following: (1) a hazardous material inventory in accordance with §§ 2729.2 to 2729.7; (2) emergency response plans and procedures in accordance with § 2731; and (3) training program information in accordance with § 2732. Business plans contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state. Each business shall prepare a HMBP if that business uses, handles, or stores a hazardous material or an extremely hazardous material in quantities greater than or equal to the following: 500 pounds of a solid substance, 55 gallons of a liquid, 200 cubic feet of compressed gas, a hazardous compressed gas in any amount, or hazardous waste in any quantity.

California Occupational Safety and Health Administration

Cal/OSHA is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR §§ 337-340). The regulations specify requirements for employee training, availability of safety equipment, accident-prevention programs, and hazardous substance exposure warnings. Among other requirements, Cal/OSHA obligates many businesses to prepare Injury and Illness Prevention Plans and Chemical Hygiene Plans. The Hazard Communication Standard requires that workers be informed of the hazards associated with the materials they handle.

In addition, Cal/OSHA regulates medical/infectious waste, including management of sharps, requirements for containers that hold or store medical/infectious waste, labeling of medical/infectious waste bags/containers, and employee training.

California Health and Safety Code

CalEPA has established rules governing the use of hazardous materials and the management of hazardous wastes. California HSC § 25531, et seq. incorporate the requirement of Superfund Amendments and Reauthorization Act and the Clean Air Act as they pertain to hazardous materials. HSC § 25534 directs owners or operators storing, handling, or using regulated substances exceeding threshold planning quantities to develop and implement a Risk Management Plan. The Risk Management Plans are submitted to the administering agency and possibly U.S. EPA, depending upon the chemical and the amount, for review.

Hazardous Materials Transportation

Section 31303 of the California Vehicle Code and U.S. Department of Transportation regulate hazardous materials transport. The California Highway Patrol and Caltrans are the enforcement agencies. Cal OES provides emergency response services involving hazardous materials incidents.

Hazardous Materials in Structures: Asbestos-Containing Materials and Lead-Based Paint

Several regulations and guidelines pertain to abatement of and protection from exposure to asbestos-containing materials (ACM) and lead-based paint (LBP), including Construction Safety Orders § 1529 (pertaining to ACM) and § 1532.1 (pertaining to LBP) from Title 8 of the CCR, and Part 61, Subpart M, of the CFR (pertaining to ACM). In California, ACM and LBP abatement must be performed and monitored by contractors with appropriate certification from the California DHS. Asbestos is also regulated as a hazardous air pollutant under the Clean Air Act and a potential worker safety hazard under the authority of Cal/OSHA.

Requirements for limiting asbestos emissions from building demolition and renovation are specified in SCAQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). CGC §§ 1529 and 1532.1 provide for exposure limits, exposure monitoring, respiratory protection and good working practice by workers exposed to lead and ACMs.

Certified Unified Program Agency

A CUPA is an agency of a county or city that administers several state programs regulating hazardous materials and hazardous wastes. SBCFD is the CUPA for all unincorporated areas and incorporated cities and towns. SBCFD administers the following programs:

- Hazardous Materials Release Response Plans and Inventory Program
- California Accidental Release Prevention Program, a combination of federal and state programs for the prevention of accidental release of regulated toxic and flammable substances
- Underground Storage Tanks Program
- Aboveground Petroleum Storage Act Program
- Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs Program
- Hazardous Materials Management Plan (HMMP) and Hazardous Material Inventory Statement (HMIS) in California Fire Code Program.

Regional

South Coast Air Quality Management District

The South Coast Air Quality Management District (SCAQMD) is the air pollution control agency for Orange County and the urban portions of Los Angeles, Riverside, and San Bernardino counties. The agency's primary responsibility is ensuring that state and federal ambient air quality standards are attained and maintained in the SCAB. The SCAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and

meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, and many other activities. All projects are subject to SCAQMD rules and regulations in effect at the time of construction.

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

- **Rule 1166 (Volatile Organic Compound Emissions from Decontamination of Soil)** – This rule requires that any person conducting excavation for underground storage tanks or transferring piping which currently stores, or previously stored VOCs shall operate under an approved mitigation plan, conduct consistent VOC monitoring, and provide notice to an Executive officer at least 24 hours prior to excavation activities. If VOC-contaminated soil is encountered, remediation tasks outlined in this rule are to be implemented by the person handling the VOC-encountered soil. This includes the segregation of contaminated soils, the use of vapor suppressants, consistent visual inspections, and proper storage and handling methods.
- **Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities)** – This rule provides guidelines intended to limit and prevent the exposure asbestos to the outside air. Requirements within this rule include the completion of facility surveys, proper notification of SCAQMD, an established schedule of removal, accepted removal actions, storage and handling procedures, climate considerations, and additional regulations based on disposal facility and site characteristics. This rule also includes requirements for material handling training for those that would be in contact with contaminated soils and proper testing protocols.
- **Rule 1466 (Control of Particulate Emissions from Soils with Toxic Air Contaminants)** – This rule requires that any person performing earth-moving activities conduct consistent monitoring of PM₁₀ particles, or particles which are generally 10 micrometers or smaller. This rule includes the installation of PM₁₀ monitors, the use of a data acquisition system (DAS), and coordination with an Executive Officer. This rule has been expanded in January 2022 to include additional measures for the reduction of fugitive dust.

Local

The Countywide Plan

The following goals and policies from the Countywide Plan's Hazards Element are pertinent to the Project:

- | | |
|-----------------------|---|
| Goal HZ-1 | Natural Environmental Hazards. Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by natural environmental hazards and adaptation to potential changes in climate. |
| Policy HZ-1.12 | Local hazard mitigation plan implementation. We require adherence to the goals, objectives and actions in the Multi-jurisdictional Hazard Mitigation Plan and subsequent amendments to reduce and mitigate damages from hazards in the county. |
| Goal HZ-2 | Human-Generated Hazards. People and the natural environment protected from exposure to hazardous materials, excessive noise, and other human-generated hazards. |

Policy HZ-2.3 **Safer alternatives.** We minimize the use of hazardous materials by choosing and by encouraging others to use non-toxic alternatives that do not pose a threat to the environment.

Policy HZ-2.4 **Truck routes for hazardous materials.** We designate truck routes for the transportation of hazardous materials through unincorporated areas and prohibit routes that pass through residential neighborhoods to the maximum extent feasible.

San Bernardino County Hazardous Materials Release Response Plans and Inventory Program

In San Bernardino County, the Business Emergency/Contingency Plan (Business Plan) is also used to satisfy the contingency plan requirement for hazardous waste generators. Any business subject to any of the CUPA permits is required in San Bernardino County to file a Business Emergency/Contingency Plan using the California Environmental Reporting System. This submission is used as the basis for the permit application. A new business going through the process of obtaining County planning or building approval is required to comply with the Business Emergency/Contingency Plan requirement prior to obtaining final certificate of occupancy and prior to bringing hazardous materials onto the property.

The quantities that trigger disclosure are based on the maximum quantity on-site at any time excluding materials under active shipping papers or for direct retail sale to the public. The basic quantities are: hazardous materials at or exceeding 55 gallons, 500 pounds, or 200 cubic feet at any time in the course of a year; specified amounts of radioactives, and extremely hazardous substances above the threshold planning quantity.

4.9.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning hazards and hazardous materials. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area;
- Impair implementation of or physically interfere within an adopted emergency response plan or emergency evacuation plan;

- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Methodology

The Project is evaluated against the aforementioned significance criteria in order to determine the level of impacts related to hazards and hazardous materials. This analysis also considers existing regulations, laws and standards that serve to avoid or reduce potential environmental impacts., as well as recommendations from existing site evaluations. Where significant impacts may remain, feasible mitigation measures are recommended, where warranted, to avoid or lessen the potential for significant adverse impacts to occur.

Approach to Analysis

This analysis of impacts related to hazards and hazardous materials examines the Project’s temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on available information in public databases including local planning documents, a site evaluation of the Project site; review of Project maps and drawings; and analysis of aerial and ground-level photographs. The determination that a Project component would or would not result in “substantial” adverse effects on standards related to hazards and hazardous materials considers the available policies and regulations established by regional and state agencies and the amount of deviation from these policies in the Project’s components.

4.9.5 Impacts and Mitigation Measures

Impact 4.9-1 *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Level of Significance: Less than Significant with Mitigation Incorporated

Construction

Construction of the Project would occur over four phases with each taking place over 12 months. For the purposes of analyzing construction emissions, the construction activities for the e-commerce, high-cube logistics, and ancillary commercial uses were modeled in separate phases (Phase 1a, Phase 1b, Phase 2, and Commercial). Construction was modeled generally according to the following timeline:

- Phase 1a: Commence in 2023 with a 12-month duration.
- Phase 1b: Commence in 2024 with a 12-month duration.
- Phase 2: Commence in 2025 with a 12-month duration.
- Commercial Parcel: Commence in 2026 with an 11-month duration.

Construction of the Project would involve the transport, use, and disposal of hazardous materials on-site and off-site, which include fuels, paints, mechanical fluids, and solvents, but would not be present in such a quantity or used in such a manner that would pose a significant hazard to the public.

The Project site was once part of the former Kaiser Steel facility property. Several of the areas of the former Kaiser Steel facility were subject to historical remediation activities. With the exception of ongoing groundwater monitoring, all areas have received no further action designations from DTSC or “closure.” Due to the age of existing structures (built in 1995 – 1996) being younger than the 1978 ban on LBPs, the presence of LBP is not expected to be encountered during demolition activities. Similarly, the presence of asbestos and other ACMs identified in 2000 are associated with a previous, inactive facility and is not anticipated to be encountered during demolition activities. If encountered at all, ACMs would be limited to roofing materials on auxiliary structures.

Two areas received closure with LUCs which prohibit development of residential and other sensitive land uses and impose other requirements regarding subsurface disturbance. Project construction would include the demolition of some existing structures noted in **Section 4.9.2: Environmental Setting**. Debris found during demolition would include commonly found structural components as well as potentially contaminated soils due to the Project site’s history of hydrocarbon uses as well as other potentially hazardous material products and byproducts. Although significant quantities of soil are not anticipated to be exported from the Project site, disposal or transport of demolition materials and any graded soils from the Project site may therefore increase the potential for the exposure of hazardous materials. Implementation of **Mitigation Measures (MMs) HAZ-1 and HAZ-2** would ensure proper handling of contaminated soils and substances which may be encountered. Additionally, **MM HAZ-3** would be implemented to reduce risks due to potential exposure from asbestos and ACMs.

The routine transport, use, and disposal of hazardous materials can result in hazards to people and the environment, due to the potential for accidental release. Such hazards are typically associated with certain types of land uses, such as chemical manufacturing facilities, industrial processes, waste disposal, and hazardous material storage and distribution facilities. At full buildout, the Project would consist of high-cube logistics/e-commerce and ancillary commercial buildings. As previously mentioned, this land use is not expected to use significant quantities of hazardous materials or to generate significant quantities of hazardous materials requiring transport. Additionally, as with project operation, the use, storage, transport, and disposal of construction-related hazardous materials would be required to conform to existing laws and regulations. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would ensure Project construction would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during construction.

Operations

Operations of the high-cube logistics/e-commerce and ancillary commercial buildings would involve the use of relatively small quantities of hazardous materials commonly found within those land uses. This would include materials such as industrial cleaners, greases, and oils for cleaning and maintenance along

with paints, solvents, and fertilizers and pesticides for site landscaping. High-cube logistics/e-commerce buildings proposed with the Project may be used by future tenants in a manner that involves the transport, use, and disposal of hazardous materials; the specific substances and quantities of such materials are presently unknown. The use, storage, transport, and disposal of hazardous materials would be governed by existing regulations of several agencies, including the U.S. EPA, U.S. Department of Transportation, California Division of Occupational Safety and Health, and the San Bernardino County Fire Protection District. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Additionally, the Project would also be operated with strict adherence to all emergency response plan requirements set forth by the San Bernardino County Fire Protection District. Mandatory compliance with laws and regulations would ensure that operational impacts would be less than significant. While the operation of the Project site is not anticipated to generate significant impacts, mitigation proposed for the Project's construction phase would be necessary to reduce potential impacts to less than significant levels.

Mitigation Measures

The following measures shall apply to all Project grading and construction activities, including those related to off-site infrastructure or utility improvements that may be necessary to serve the Project:

MM HAZ-1 **Soil Management Plan (SMP).** Prior to issuance of a grading permit or trenching or subsurface excavation for utilities or roadway infrastructure, the Master Developer, Site Developer, or Lead Agency, as applicable, shall retain a qualified environmental consultant to prepare a SMP that details procedures and protocols for on-site management of soils containing potentially hazardous materials.

The SMP shall include, but not be limited to:

- Land use history, including description and locations of known contamination;
- The nature and extent of previous investigations and remediation at the site;
- Identified areas of concern at the site, in relation to proposed activities;
- A listing and description of institutional controls, such as applicable County ordinances and other local, state, and federal regulations and laws that would apply to the project;
- Names and positions of individuals involved with soils management and their specific role;
- An earthwork schedule;
- Requirements for site-specific Health and Safety Plans (HSPs) to be prepared by all contractors at the project site. The HSP should be prepared by a Certified Industrial Hygienist and would protect on-site workers by including engineering controls, personal protective equipment, monitoring, and security to prevent unauthorized entry and to reduce construction related hazards. The HSP should

address the possibility of encountering subsurface hazards including hazardous waste contamination and include procedures to protect workers and the public;

- Hazardous waste determination and disposal procedures for known and previously unidentified contamination, including those associated with any soil export activities, if applicable;
- Requirements for site specific techniques at the site to minimize dust, manage stockpiles, run on and run-off controls, waste disposal procedures, etc.; and
- Copies of relevant permits or closures from regulatory agencies.

MM HAZ-2

If potentially contaminated soil is identified during site disturbance activities for the Project, as evidenced by discoloration, odor, detection by instruments, or other signs, a qualified environmental professional shall inspect the site, determine the need for sampling to confirm the nature and extent of contamination, and provide a written report to the Master Developer, Site Developer, or Lead Agency, as applicable, stating the recommended course of action. Depending on the nature and extent of contamination, the qualified environmental professional shall have the authority to temporarily suspend construction activity at that location for the protection of workers or the public. If, in the opinion of the qualified environmental professional, substantial remediation may be required, the Master Developer, Site Developer, or Lead Agency, as applicable, shall contact representatives of the San Bernardino County Fire Department and/or DTSC for guidance and oversight and shall comply with all performance standards and requirements of the respective agency for proper removal and disposal of contaminated materials. In addition, any activities which will disturb portions of the property subject to a land use covenant (LUC) (e.g., excavation, grading, removal, trenching, filling or earth movement) shall require proper notification to DTSC in accordance with the terms of the LUC.

MM HAZ-3

Prior to the issuance of a demolition permit for any buildings or structures on-site, the Master Developer or Site Developer, as applicable, shall conduct a comprehensive ACM survey to identify the locations and quantities of ACM in above-ground structures. The Master Developer or Site Developer, as applicable, shall retain a licensed or certified asbestos consultant to inspect buildings and structures on-site. The consultant's report shall include requirements for abatement, containment, and disposal of ACM, if encountered, in accordance with SCAQMD's Rule 1403.

Impact 4.9-2

Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Level of Significance: Less than Significant with Mitigation Incorporated

Construction

The Project site contains areas which have undergone remediation or have been recommended for remediation. **Section 4.9.2: Environmental Setting** summarized those known current environmental

conditions for the Project site. As stated in the Summary Assessment provided by Geosyntec, of the 32 database listings within the site, 20 were recommended for remediation from 1985 to 1989. By 1990, three sites were determined to require further investigation and remediation. This remediation was done at the By-products Plant and East Slag Pile Landfill, Cooling Tower Sludge Pit, Furnace Dust and Mill Scale Piles.¹ The demolition of existing structures and removal of graded soil throughout the site could potentially release some of the hazardous materials historically found on the site. However, this is unlikely due to the previous remediation performed on the Project site and the time that has passed since remediation actions were taken. Furthermore, although some sites were noted to have previously involved the use or generation of potentially hazardous materials such as hydrocarbons and VOCs, no current violations were noted. Despite the limited potential for the exposure of the public and environment to hazardous materials, with **MMs HAZ-1, HAZ-2, and HAZ-3** and compliance with all applicable Federal, State, and regional regulations, the impact would be reduced to less than significant levels with mitigation incorporated.

Operations

As previously stated, the Project would consist of high-cube logistics/e-commerce and ancillary commercial uses. These land uses are not anticipated to result in releases of hazardous materials into the environment. As discussed in impact 4.9.1 above, the Project would not create a significant impact through the transport, use, or disposal of hazardous materials since the facilities are required to comply with all applicable Federal, State, and regional regulations which are intended to avoid impacts to the public and environment. Furthermore, hazardous materials/chemicals such as cleaners, paints, solvents, and fertilizers in low quantities do not pose a significant threat related to the release of hazardous materials into the environment. A less than significant impact would occur in this regard.

Mitigation Measures

MM HAZ-1 would apply. See Impact 4.9-1.

Impact 4.9-3 *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Level of Significance: No Impact

Construction and Operations

Construction of the Project would involve the transport, use, and disposal of hazardous materials on-site and off-site, which include fuels, paints, mechanical fluids, and solvents, but would not be present in such a quantity or used in such a manner that would pose a significant hazard to nearby schools. As stated in Section 4.15-2 Environmental Setting of this EIR, the nearest school to the Project site is Redwood Elementary School approximately 0.5 miles away. This would fall outside of the 0.25 mile requirement of this threshold. Notwithstanding, the routine transport, use, and disposal of hazardous materials must adhere to federal, state, and local regulations for transport, handling, storage, and disposal of hazardous

¹ Geosyntec Consultants. 2020. *Summary Assessment of Environmental Conditions and Land Use Restrictions at the Auto Club Speedway Property, 9300 Cherry Avenue, Fontana, California 92335*. Page 2. San Diego, CA: Geosyntec Consultants.

substances. Compliance with the regulatory framework would ensure Project construction would not create a significant hazard to nearby schools due to the transport of any hazardous materials on local roadways. No impact would occur.

Mitigation Measures

No mitigation is required.

Impact 4.9-4 ***Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

Level of Significance: Less than Significant Impact

Construction and Operations

The Project site is not included on the hazardous sites list compiled pursuant to California Government Code Section 65962.5 (Cortese List).² The Summary Assessment indicated that multiple areas within the Project site had historically undergone environmental investigations and remediations. However, the greater Project site was found to be without violations. Remediation efforts have been performed throughout the Project site; however, these efforts have since concluded. In addition, despite the continued observation of groundwater resources within the Project area, groundwater exposure to toxic and hazardous materials is not anticipated due to the depth of the water levels. Therefore, no significant adverse impacts relative to Cortese List sites which would occur with Project implementation.

Mitigation Measures

No mitigation is required.

Impact 4.9-5 ***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?***

Level of Significance: Less than Significant Impact

Construction and Operations

The Ontario International Airport is located approximately four miles southwest of the Project site. The Project site borders, but is not within, the Ontario International Airport Influence Area (AIA). Additionally, the Project is outside of the Ontario International Airport Safety Zones, Noise Impact Zones, Airspace Protection Zones, and Overflight Notification Zones (Maps 2-2 through 2-5 of the ONT Airport Land Use Compatibility Plan).³ Thus, the Project would not result in a safety hazard impact to people residing or working in the area.

² California, State of, Department of Toxic Substances Control, DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). <https://dtsc.ca.gov/dtscs-cortese-list/> (accessed: August 2020).

³ City of Ontario. 2011. *Ontario International Airport Land Use Compatibility Plan*. <https://www.ontarioplan.org/alucp-for-ontario-international-airport/> (accessed February 2022).

Mitigation Measures

No mitigation is required.

Impact 4.9-6 *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Level of Significance: Less than Significant Impact

Construction and Operations

The County of San Bernardino adopted its Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) in 2017.⁴ The MJHMP identifies potential hazards that may occur within the County, such as risks associated with earthquakes, terrorism, and climate change. Mitigation is also provided in the MJHMP in order to minimize those identified risks. Project development would be congruent with the land use designations of the Project area and would therefore remain consistent with the analysis provided in the MJHMP. By providing increased internal circulation routes the Project would improve access to the site by emergency vehicles and exit points in the event of evacuation. Proposed improvements to nearby roadways would further improve the County's accessibility through the widening of roads, development of dedicated turn lanes, addition of signalized intersections, and other necessary improvements. Roadway improvements are further discussed in **Section 4.17: Transportation**. The Project would not conflict with adopted emergency response or evacuation plans and would therefore generate a less than significant impact.

Mitigation Measures

No mitigation is required.

Impact 4.9-7 *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

Level of Significance: Less than Significant Impact

Construction and Operations

Wildfire impacts are further discussed in **Section 4.20: Wildfire**. According to CAL FIRE's Fire and Resource Assessment Program, FHSZ Viewer, the Project site is not located in or near a State Responsibility Area (SRA); the nearest SRA to the development site is located approximately four miles to the north. The Project site is located in a Local Responsibility Area (LRA) for the County of San Bernardino.⁵ In addition, the Project site does not contain lands classified as a very high fire hazard severity zone (VHFHSZ). The closest VHFHSZs are located approximately four miles to the north and south of the Project site. The Project is located within a Local Responsibility Area (LRA) for the County of San Bernardino.⁶ The Project

⁴ County of San Bernardino. 2017. San Bernardino County Multi-Jurisdictional Hazard Mitigation Plan. https://countywideplan.com/wp-content/uploads/sites/68/2020/10/SBC_MJHMP_FEMAapproved_20170713.pdf#page=202&zoom=100,220,144 (accessed February 2022).

⁵ County of San Bernardino. 2020. Countywide Plan HZ-6 Fire Responsibility Areas. <https://www.arcgis.com/apps/webappviewer/index.html?id=1510b4688d8741e8be076d9e25afec2d> (accessed February 2022)

⁶ County of San Bernardino. 2020. Countywide Plan HZ-6 Fire Responsibility Areas. <https://www.arcgis.com/apps/webappviewer/index.html?id=1510b4688d8741e8be076d9e25afec2d> (accessed February 2022)

is also located outside of any delineated FHSZ.⁷ Due to its location outside of known FHSZs, impacts are anticipated to be less than significant.

Mitigation Measures

No mitigation is required.

4.9.6 Cumulative Impacts

For purposes of hazards and hazardous materials, cumulative impacts are considered within the immediate vicinity surrounding the Project site. As discussed above, the Project would result in less than significant impacts from hazards and hazardous materials based on compliance with existing laws, ordinances, regulations and standards, and implementation of EIR mitigation measures. **Section 4.17: Transportation** discusses roadway impacts, and **Section 4.20: Wildfire** discusses fire hazards associated with Project implementation.

Impacts associated with hazardous materials are often site-specific and localized. This EIR evaluates environmental hazards in connection with the Project site and surrounding area. Regarding off-site environmental hazards, various governmental databases were searched to identify properties with known or suspected releases of hazardous materials within a search radius of up to one mile from the site. These database searches serve as the basis for defining the cumulative impacts study area.

Cumulative impacts related to hazards and hazardous materials would result from projects that combine to increase exposure to hazards and hazardous materials. The potential for cumulative impacts to occur is limited since the impacts from hazardous materials use on-site would be site-specific. The Project and other cumulative projects would be required to comply with laws and regulations governing hazardous materials and hazardous wastes used and generated as described previously. Therefore, cumulative impacts related to hazards and hazardous materials would be less than significant after regulatory compliance.

4.9.7 Significant Unavoidable Impacts

No significant unavoidable impacts concerning hazards and hazardous materials have been identified.

4.9.8 References

California, State of, Department of Toxic Substances Control, DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). <https://dtsc.ca.gov/dtscs-cortese-list/>.

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⁷ County of San Bernardino. 2020. *Countywide Plan HZ-5 Fire Hazard Severity Zones*.
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4.10 HYDROLOGY AND WATER QUALITY

4.10.1 Introduction

This section of the EIR identifies and evaluates any potential impacts on the hydrologic resources that could result from implementation of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project). The pre-development conditions of the water and drainage systems surrounding the Project area were used as the baseline with which to analyze the Project's consistency with environmental thresholds and inform the degree of impact that the Project could have on those existing hydrologic systems. Information used to prepare this section is based on:

- Albert A. Webb Associates (2022). *Preliminary Drainage Study* (located in EIR **Appendix J**).
- Albert A. Webb Associates (2022). *Preliminary Water Quality Management Plan (WQMP)* (located in EIR **Appendix J**).
- Stetson Engineers, Inc. (2021). *Water Supply Assessment* (located in EIR **Appendix J**).

The analysis includes a description of the current hydrological conditions of the Project site and any pertinent federal, state, or local regulations and policies intended for the management of hydrological resources. If the Project is determined to pose a potentially significant impact to the environment, appropriate mitigation measures would be included to reduce the significance of each impact.

4.10.2 Environmental Setting

Existing Hydrology and Drainage Conditions

Regional Hydrology and Drainage

The Project site lies within the Santa Ana River Watershed basin within the Santa Ana Region. The Santa Ana Region is the smallest of the nine Regional Water Quality Control Board (RWQCBs) regions in the State of California (state), covering approximately 2,800 square miles of land roughly between Los Angeles and San Diego. Regional boundaries for each RWQCB are based on watersheds and water quality requirements are based on the unique differences in climate, topography, geology, and hydrology for each watershed.¹ Although geographically small, the Santa Ana Region's approximately four million residents make it one of the most densely populated regions in the State.² The region covers portions of Los Angeles, San Bernardino, Riverside, and Orange counties.

The Santa Ana River Watershed basin is divided into smaller specific watersheds throughout the region, which is generally arid and therefore has little natural perennial surface water. Because of the aridity, water is stored in a variety of downstream water storage reservoirs including Lake Perris, Lake Mathews, and Big Bear Lake, as well as in some flood control areas including the Prado Dam area and Seven Oaks Dam area. The watershed is regulated by the Santa Ana Regional Water Quality Control Board (RWQCB).

¹ California Water Boards. 2019. *About the California Water Boards*.
https://www.waterboards.ca.gov/publications_forms/publications/factsheets/docs/boardoverview.pdf (accessed February 2022).

² Santa Ana Regional Water Quality Control Board. 1995. *The Water Quality Control Plan (Basin Plan) for the Santa Ana River Basin*.
https://www.waterboards.ca.gov/santaana/water_issues/programs/basin_plan/index.html (accessed September 2021).

The Santa Ana Watershed is managed in part by the Santa Ana Watershed Project Authority (SAWPA). The SAWPA consists of five member agencies including Eastern Municipal Water District (EMWD), Inland Empire Utilities Agency (IEUA), Orange County Water District (OCWD), San Bernardino Valley Municipal Water District (SBMWD), and Western Municipal Water District (WMWD).

Surface Water Hydrology

Precipitation occurs mostly in the Santa Ana River Watershed as rainfall, with some snowfall in the San Bernardino Mountains. Rainfall is sporadic and amounts vary widely with location. Much of the rainfall in urban areas is intercepted and diverted into stormwater sewers and discharged directly into the Santa Ana River or its tributaries. Other areas of the Inland Empire are still dedicated to agriculture and ranching which would allow precipitation and stormwater runoffs to percolate into the soil. However, much of the surface water is lost to evaporation and evapotranspiration. Some major bodies of water in the watershed include Irvine Lake, Lake Mathews, Lake Perris, Diamond Valley Lake, Lake Skinner, and Big Bear Lake. Each of these lakes are water supply reservoirs constructed by county or state water agencies, and with the exception of Big Bear Lake, much of the water is imported from other parts of California due to the arid local climate.

The Project site is located within the East Etiwanda Creek-Santa Ana River Watershed (HUC12 180702030804). This is a smaller drainage basin that covers approximately 138,519 acres (approximately 216.4 square miles).³ All inputs into this basin are directed toward the Santa Ana River and flow towards the southwest to the Aliso Creek-Santa Ana River Watershed, ultimately discharging into the Pacific Ocean.⁴

Groundwater Hydrology

Groundwater in the region is principally stored in unconsolidated alluvium deposits, meaning much of the groundwater is stored in the porous space between particles of gravel, sand, and silt that was deposited by flowing streams in a river valley or delta. The Project site lies within the Chino subbasin of the Upper Santa Ana Valley Groundwater Basin. The Chino subbasin encompasses 240 square miles and is bounded by contact with impermeable rocks of the Puente Hills and by the Chino fault; on the northwest by the San Jose fault; and on the north by impermeable rocks of the San Gabriel Mountains and by the Cucamonga fault. The Chino Subbasin is bounded by three major fault systems. Many of the faults within the subbasin form groundwater barriers marked by discontinuities in groundwater elevations. The Rialto-Colton fault forms the eastern boundary of the Chino Basin. Although it has no surface expression, it forms a major barrier to groundwater movement. The San Jose fault forms the northwest boundary of the Chino Basin. It displaces the base of fresh water from 250 feet to 400 feet. The Cucamonga fault zone forms part of the northern boundary of the Chino Basin. Displacement on this fault amounts to about 1,000 feet on the west end to 4,000 feet at its east end.

³ California Waterboards. 2022. HUC Watersheds. <https://gispublic.waterboards.ca.gov/portal/home/webmap/viewer.html?useExisting=1&layers=b6c1bab9acc148e7ac726e33c43402ee> (accessed October 2021).

⁴ Ibid.

Groundwater is recharged through direct infiltration or precipitation on the subbasin floor, by infiltration of surface flow, and by underflow of groundwater from adjacent basins. The five recharge facilities in the subbasin are Deer Creek, Day Creek, East Etiwanda, San Sevaine, and Victoria. Total groundwater storage within the subbasin is approximately 18,300,000 acre-feet (af). In the Fall of 2000, an estimated 5,325,000 af of water was stored within the subbasin.⁵

According to the geotechnical study prepared for this Project (see **Appendix G**), groundwater was not encountered during the investigation which was drilled up to an approximate depth of 51.5 feet below ground surface (bgs). However, perched groundwater was encountered in boring KLF-4 at approximately 5.5 feet bgs, KLF-12 at approximately 43 feet bgs, and KLF-13 at approximately 48 feet bgs. It appeared groundwater was likely perched on finer grained soil layers. Groundwater was not encountered during the 2020 investigation which was drilled up to an approximate depth of 81½ feet bgs. Depth to groundwater within on-site groundwater monitoring wells was approximately 425 to 450 feet bgs (approximate elevation 690 to 705 above mean sea level (amsl)) last measured on February 13, 2019. Another well in the vicinity of the Project site is approximately 1.0 mile north of the site (01S/06W-10H003S) with a ground surface elevation of 1,212 amsl. Depth to groundwater was approximately 500 feet bgs (approximate elevation 711 amsl) last measured on November 19, 2019.⁶

Existing Site Drainage

The Project area is comprised of approximately 433 acres of the approximately 522 acres of land presently occupied by the Auto Club Speedway (ACS) and associated uses. The overall site generally drains to the south and west with approximate surface elevations of 1,090 feet at the southwest corner of the site to 1,170 feet at the northeast corner of the site.⁷ The existing drainage pattern for the Project site and the general area is characterized by sheet flow. Under existing conditions, the Project site naturally drains from the northeast to the southwest. An open stormwater channel exists on the south side of the site. This channel intercepts all runoff within the Project area, and outlets into existing drainage basin located at the southwest corner of the site. All off-site flows are intercepted by Cherry Avenue to the east and the existing San Sevaine Channel to the west of the site. Flows originate at northeast corner of the Project site and traverse through the site via a storm drain network, picking up flows from remaining on-site areas, and are ultimately conveyed into the existing San Sevaine channel at a connection point near the southwest portion of the site.

Water Quality

Surface Water Quality

Section 303(d) of the federal Clean Water Act (CWA) requires states to identify the waters of the state that do not meet the designated beneficial uses and to develop total maximum daily loads (TMDLs) for such waters, with oversight by the U.S. Environmental Protection Agency (U.S. EPA). These waterbodies

⁵ California Department of Water Resources. 2006. *California's Groundwater Bulletin 118 January 20, 2006 Update: Hydrologic Region South Coast – Upper Santa Ana Valley Groundwater Basin*. https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/8_002_01_ChinoSubbasin.pdf (accessed September 2021).

⁶ Kleinfelder. 2021. Preliminary Report of Geotechnical Study Proposed Speedway Commerce Center II County of San Bernardino, California. See **Appendix G**.

⁷ Kleinfelder. 2021. *Preliminary Report of Geotechnical Study*.

are commonly referred to as impaired. A TMDL is a quantifiable assessment of potential water quality issues, contributing sources, and load reductions or control actions needed to restore or protect bodies of water. Parts of the Santa Ana River are included on the 303(d) list. The nearest segment to the Project site is Reach 3 of the Santa Ana River and it is 303(d)-listed for copper (wet season only), lead, and pathogens.⁸

In general, the subsurface conditions at the proposed infiltration facilities on-site consist of artificial fill soil overlying native alluvial soil. Soils encountered during the geotechnical field investigation (see **Appendix G**) consisted of artificial fill extending up to approximately 13 feet bgs, alluvium was encountered from the contact with the artificial fill to at least approximately 50 feet bgs, and soils encountered during the field investigation consisted primarily of interbedded sands with varying silt content, gravel and cobbles to the total depths explored. Artificial fill soils generally consisted of sandy silt, silty sand, and sands with varying amounts of gravel, and cobbles. The alluvium/native soils generally consisted of sandy silt, sandy clay, silty sand, and sands with varying amounts of gravel and cobble to the total depth explored of approximately 51.5 feet bgs. Generally, the apparent density of the subsurface soils was medium stiff to hard and loose to very dense.⁹

Groundwater Quality

The Project site lies within the boundary of the IEUA. Groundwater quality in the lower Chino Basin area has been impacted by historical agricultural uses and now has high levels of nitrates and total dissolved solids. There are also some areas that exceed standards for perchlorate and volatile organic compounds (VOCs). The three most common contaminants that exceed a primary maximum contaminant level (MCL) in the Chino Basin at active municipal wells are nitrate (71 wells), 1,2,3-trichloropropane (33 wells), and perchlorate (27 wells). Groundwater in the basin is typically treated or blended with higher quality imported water prior to consumption. Groundwater was not encountered in any of the infiltration test borings. According to the geotechnical study prepared for this Project (see **Appendix G**), groundwater was not encountered during the investigation which was drilled up to an approximate depth of 51.5 bgs. Depth to groundwater within on-site groundwater monitoring wells (SW-1S, SW-1M, SW-1D, SW-2, and SW-3, with approximate ground surface elevations of 1,120 to 1,160 feet) was approximately 425 to 450 feet bgs (approximate elevation 690 to 705 amsl) last measured on February 13, 2019.¹⁰ Another well in the vicinity of the Project site is approximately 1.0 mile north of the site (01S/06W-10H003S) with a ground surface elevation of 1,212 amsl.¹¹ Depth to groundwater was approximately 500 feet bgs (approximate elevation 711 amsl) last measured on November 19, 2019.¹²

⁸ California State Water Resources Control Board. 2021. *Impaired Water Bodies*. https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml?wbid=CAR8012100019990211140353 (accessed September 2021).

⁹ Kleinfelder. 2021. Preliminary Report of Geotechnical Study Proposed Speedway Commerce Center II County of San Bernardino, California. See **Appendix G**

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

Flood Hazard, Tsunami, or Seiche Zone

According to the Project's *Preliminary Report of Geotechnical Study (Appendix G)*, surface water flow at the site is generally via sheet flow in a southwesterly direction. The Project site is largely located within FEMA Flood Zone X (shaded).¹³ Land designated as Zone X (shaded) are moderate flood hazard areas and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood.¹⁴ A project located within Zone X (shaded) would require the first floor to be elevated a minimum of one foot above the natural highest adjacent ground in compliance with County regulations.¹⁵ Outer portions of the Project site are located within Zone X (unshaded). Land designated as Zone X (unshaded) are areas of minimal flood hazard, which are areas outside the Special Flood Hazard Area and higher than the elevation of the 0.2-percent-annual-chance flood.¹⁶ The site is not listed by the County of San Bernardino as being in any mapped dam inundation hazard zone. A seiche is a wave or sloshing of a body of water that is at least partially impounded caused by strong wind or seismic shaking. The site is not downstream of large bodies of water or tanks which potentially could cause flooding and inundate the project site. The risk of seiche damage following a seismic event at the site is considered low.

4.10.3 Regulatory Setting

Federal

Clean Water Act

The primary goals of the Federal Clean Water Act (CWA) are to maintain the chemical, physical, and biological integrity of the nation's waters and to make all surface waters fishable and swimmable. The CWA forms the basic national framework for the management of water quality and the control of pollution discharges; it provides the legal framework for several water quality regulations, including the National Pollutant Discharge Elimination System (NPDES), effluent limitations, water quality standards, pretreatment standards, antidegradation policy, nonpoint source discharge programs, and wetlands protection. The U.S. EPA has delegated the administrative responsibility for portions of the CWA to state and regional agencies. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The SWRCB works in coordination with the RWQCBs to preserve, protect, enhance, and restore water quality.

Under the NPDES permit program, the U.S. EPA establishes regulations for discharging stormwater by municipal and industrial facilities and construction activities. Section 402 of the CWA prohibits the discharge of pollutants into Waters of the United States from any point source unless the discharge is in compliance with an NPDES Permit.

¹³ FEMA. ND. *FEMA Flood Map Service Center*. Map Number 06071C8634J, Map Revised September 26, 20014 and Map Number 06071C8653J, Map Revised September 2, 2016. <https://msc.fema.gov/portal/home> (accessed May 2022).

¹⁴ FEMA. 2020. *Flood Zones*. <https://www.fema.gov/glossary/flood-zones> (accessed May 2022).

¹⁵ San Bernardino County. 2021. *Land Use Services*. <https://cms.sbcounty.gov/lus/LandDevelopment/FrequentlyAskedQuestions.aspx> (accessed April 2022).

¹⁶ FEMA. 2020. *Flood Zones*. <https://www.fema.gov/glossary/flood-zones> (accessed May 2022).

The Anti-degradation Policy under the U.S. EPA's Water Quality Standards Regulations (48 F.R. 51400, 40 CFR 131.12, November 8, 1983), requires states and tribes to establish a three-tiered anti-degradation program to prevent a decrease in water quality standards.

- Tier 1—Maintains and protects existing uses and water quality conditions that support such uses. Tier 1 is applicable to all surface waters.
- Tier 2—Maintains and protects “high quality” waters where existing conditions are better than necessary to support “fishable/swimmable” waters. Water quality can be lowered in such waters but not to the point at which it would interfere with existing or designated uses.
- Tier 3—Maintains and protects water quality in outstanding national resource waters. Water quality cannot be lowered in such waters except for certain temporary changes.

Anti-degradation was explicitly incorporated into the federal CWA through 1987 amendments, codified in § 303(d)(4)(B), requiring satisfaction of anti-degradation requirements before making certain changes in NPDES permits.

Section 303(d) of the CWA requires the SWRCB to list impaired water bodies that are too polluted or otherwise degraded to meet the water quality standards set by states, territories, or authorized tribes. The law requires that these jurisdictions establish priority rankings for waters on the lists and develop TMDLs for these waters.

Section 404 of the CWA is administered and enforced by the U.S. Army Corps of Engineers (USACE). Section 404 establishes a program to regulate the discharge of dredged and fill material into Waters of the United States, including wetlands and coastal areas below the mean high tide. USACE administers the day-to-day program, and reviews and considers individual permit decisions and jurisdictional determinations. USACE also develops policy and guidance and enforces Section 404 provisions.

National Pollutant Discharge Elimination System

Under the NPDES program (under § 402 of the CWA), all facilities that discharge pollutants from any point source into Waters of the United States must have a NPDES permit. The term “pollutant” broadly applies to any type of industrial, commercial, residential, municipal, and agricultural waste discharged into water. Point sources can be publicly owned treatment works (POTWs), industrial facilities, and urban runoff. The NPDES program addresses certain agricultural activities, but the majority are considered nonpoint sources and are exempt from NPDES regulation. Direct sources discharge directly to receiving waters, and indirect sources discharge to POTWs, which in turn discharge to receiving waters. Under the national program, NPDES permits are issued only for direct point-source discharges. NPDES issues two basic permit types: individual and general.

All construction sites one acre or more in size, must file for and obtain an NPDES permit. Another measure, the Phase I Final Rule, requires an operator (such as a city) of a regulated municipal separate storm sewer system (MS4) to develop, implement, and enforce a program to reduce pollutants in post-construction runoff. The San Bernardino County Public Works Department enforces conditions of the MS4 NPDES permit on development and redevelopment projects in the County’s jurisdiction.

State

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (California Water Code § 13000 et seq.) provides for statewide coordination of water quality regulations. The SWRCB was established as the statewide authority and nine separate RWQCBs were developed to oversee water quality on a day-to-day basis. The RWQCB is the primary agency responsible for protecting water quality in California. As discussed above, the RWQCB regulates discharges to surface waters under the federal CWA. In addition, the RWQCB is responsible for administering the Porter-Cologne Water Quality Control Act.

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

Construction General Permit

Pursuant to the CWA, in 2009, the SWRCB issued a statewide general NPDES Permit for stormwater discharges from construction sites (NPDES No. CAS000002). Under this permit, discharges of stormwater from construction sites with a disturbed area of one or more acres must obtain individual NPDES permits or be covered by the General Permit—i.e., by filing a Notice of Intent with the SWRCB and developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must list best management practices (BMPs) implemented on the construction site to protect/retain stormwater runoff, and must contain a visual monitoring program, a sampling, analysis, and monitoring requirement for “non-visible” pollutants, and a monitoring plan if the site discharges directly to a water body listed on the state’s 303(d) list of impaired waters.

Industrial General Permit

Pursuant to the CWA, in 2020, the Statewide General Permit for Stormwater Discharges Associated with Industrial Activities, Order 2014-0057-DWQ (Industrial General Permit) implements the federally required stormwater regulations in California for stormwater associated with industrial activities discharging to waters of the United States. The Industrial General Permit regulates discharges associated with 9 federally defined categories of industrial activities. The Industrial General Permit is called a general permit because many industrial facilities are covered by the same permit but comply with its requirements at their individual industrial facilities. The SWRCB and RWQCB implement and enforce the Industrial General Permit.

MS4 Permit

The Santa Ana RWQCB issued a MS4 Permit for part of the Santa Ana Basin in San Bernardino County in 2010 (Order No. R8-2010-0036). The principal permittee of the MS4 Permit is the San Bernardino County Flood Control District. Priority projects—generally, redevelopment projects that add or replace 5,000 or more square feet of impervious surfaces, and new development projects that create 10,000 or more

square feet of impervious surfaces—must implement low impact development BMPs to the maximum extent practicable.

The MS4 Permit requires individual priority projects to prepare and implement a WQMP that may include source control BMPs, mitigation measures, and treatment control BMPs.

Regional

Water Quality Control Plan for the Santa Ana River Basin

The Santa Ana RWQCB Water Quality Control Plan (WQCP) for the Santa Ana River Basin (also the Basin Plan for the Santa Ana Region, hereinafter referred to as the “Basin Plan”) is designed to preserve and enhance water quality and to protect the beneficial uses of water bodies in the Santa Ana River Watershed. The Basin Plan (1) designates beneficial uses for surface and subsurface waters (groundwater); (2) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and to conform to the State’s anti-degradation policy; (3) describes the implementation plan to achieve water quality objectives and to protect the beneficial uses of all waters in the region; (4) describes the comprehensive monitoring and assessment program used to evaluate the effectiveness of the Basin Plan; and (5) provides an overview of water resource management studies and projects that are in progress in the region. Additionally, the Basin Plan incorporates by reference all applicable state and regional board plans and policies.

One Water One Watershed

The One Water One Watershed (OWOW) program is the result of an integrated planning process convened for the management of the Santa Ana River Watershed. The OWOW program integrates water resources management with various disciplines such as land use planning, flood control, and natural resource management. The OWOW plan is now in its third iteration, which was adopted in 2019.

The OWOW plan process complies with the standards of the State of California’s Integrated Regional Water Management Program while supporting synergies in planning how to address water challenges across the Santa Ana River Watershed. The OWOW Plan describes the next generation of integrated regional watershed planning, solving problems on a regional scale, and giving all water interests a voice in the planning process. The plan provides a blueprint for management of the watershed, which includes the following goals:

- Achieve resilient water resources through innovation and optimization.
- Ensure high-quality water for all people and the environment.
- Preserve and enhance recreational areas, open space, habitat, and natural hydrologic function.
- Engage with members of disadvantaged communities and associated supporting organizations to diminish environmental injustices and their impacts on the watershed.
- Educate and build trust between people and organizations.
- Improve data integration, tracking, and reporting to strengthen decision making.

Local

The Countywide Plan

The following goals and policies from The Countywide Plan's Infrastructure and Utilities Element¹⁷ are pertinent to the Project:

Goal IU-1 **Water Supply. Water supply and infrastructure are sufficient for the needs of residents and businesses and resilient to drought.**

Policy IU-1.8 **Groundwater management coordination.** We collaborate with watermasters, groundwater sustainability agencies, water purveyors, and other government agencies to ensure groundwater basins are being sustainably managed. We discourage new development when it would create or aggravate groundwater overdraft conditions, land subsidence, or other "undesirable results" as defined in the California Water Code. We require safe yields for groundwater sources covered by the Desert Groundwater Management Ordinance.

Goal IU-3 **Stormwater Drainage. A regional stormwater drainage backbone and local stormwater facilities in unincorporated areas that reduce the risk of flooding.**

Policy IU-3.1 **Regional flood control.** We maintain a regional flood control system and regularly evaluate the need for and implement upgrades based on changing land coverage and hydrologic conditions in order to manage and reduce flood risk. We require any public and private projects proposed anywhere in the county to address and mitigate any adverse impacts on the carrying capacity and stormwater velocity of regional stormwater drainage systems.

Policy IU-3.2 **Local flood control.** We require new development to install and maintain stormwater management facilities that maintain predevelopment hydrology and hydraulic conditions.

Policy IU-3.5 **Fair share requirements.** We require new development to pay its fair share of capital costs to maintain adequate capacity of the County's regional flood control systems.

The following goal and policies from The Countywide Plan's Hazards Element¹⁸ are pertinent to the Project:

Goal HZ-1 **Natural Environmental Hazards. Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by natural environmental hazards and adaptation to potential changes in climate.**

Policy HZ-1.2 **New development in environmental hazard areas.** We require all new development to be located outside of the environmental hazard areas listed below. For any lot or parcel that does not have sufficient buildable area outside of such hazard areas, we require adequate mitigation, including designs that allow occupants to shelter in place

¹⁷ County of San Bernardino. 2020. *The Countywide Plan, Infrastructure and Utilities Element*. <http://countywideplan.com/policy-plan/beta/iu/> (accessed September 2021).

¹⁸ County of San Bernardino. 2020. *The Countywide Plan, Hazards Element*. <http://countywideplan.com/policy-plan/beta/hz/> (accessed September 2021).

and to have sufficient time to evacuate during times of extreme weather and natural disasters.

- Flood: 100-year flood zone, dam/basin inundation area
- Geologic: Alquist Priolo earthquake fault zone; County-identified fault zone; rockfall/debris-flow hazard area, medium or high liquefaction area (low to high and localized), existing and County-identified landslide area, moderate to high landslide susceptibility area)
- Fire: high or very high fire hazard severity zone

Policy HZ-1.3 Floodplain mapping. We require any new lots or subdivisions partially in, and any new development partially or entirely in 100-year flood zones or 100-year flood awareness areas to provide detail floodplain mapping for 100- and 200-year storm events as part of the development approval process.

Policy HZ-1.4 500-year flood zone. We may collaborate with property owners in the Valley region to establish funding and financing mechanisms to mitigate flood hazards in identified 500-year flood zones.

The following goal and policies from The Countywide Plan’s Natural Resources Element¹⁹ are pertinent to the Project:

Goal NR-2 Water Quality. Clean and safe water for human consumption and the natural environment.

Policy NR-2.2 Water management plans. We support the development, update, and implementation of ground and surface water quality management plans emphasizing the protection of water quality from point and non-point source pollution.

Policy NR-2.4 Wastewater discharge. We apply federal and state water quality standards for wastewater discharge requirements in the review of development proposals that relate to type, location, and size of the proposed project in order to safeguard public health and shared water resources.

Policy NR-2.5 Stormwater discharge. We ensure compliance with the County’s Municipal Stormwater NPDES (National Pollutant Discharge Elimination System) Permit by requiring new development and significant redevelopment to protect the quality of water and drainage systems through site design, source controls, stormwater treatment, runoff reduction measures, best management practices, low impact development strategies, and technological advances. For existing development, we monitor businesses and coordinate with municipalities.

San Bernardino County Code of Ordinances

Chapter 85.07, Flood Hazard Development Reviews, requires a Floodplain Development Standards Review before the approval of a land use application or issuance of a development permit in specified flood areas or where required by the Director of Public Works or the Building Official. The first-floor elevation and basement must be 1) One foot above the base flood elevation on the Federal Emergency Management

Agency (FEMA) map, as determined from drainage study, or two feet or more above the natural highest adjacent grade when the base flood elevations are not shown in any area designated as a 100-year floodplain; or 2) One foot above the natural highest adjacent grade in any area designated as a 100- to 500-year floodplain. Additionally, Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination System Regulations of the County Code requires any discharger associated with construction activity subject to any NPDES permit issued by the U.S. Environmental Protection Agency, the SWRCB, or RWQCB, shall comply with all requirements of such permit. Upon demand by County Director, such discharger shall provide County proof of coverage under such permit. Proof of coverage under such permit may also be required prior to issuance of any County permit, including, but not limited to, grading, building, or occupancy permits. Proof of coverage shall be in a form acceptable to the County Director. This Ordinance ensures the protection of health and safety of, and promote the welfare of, the inhabitants of the County by controlling non-stormwater discharges to the stormwater conveyance system, and by reducing pollutants in stormwater discharges, including those pollutants taken up by stormwater as it flows over urban areas, to the maximum extent practicable in order to achieve applicable receiving water quality objective.

Technical Guidance Document for WQMPs

In compliance with the NPDES Permit for San Bernardino County, the San Bernardino County Areawide Storm Water Program prepared a Technical Guidance Document (TGD) for the preparation of WQMPs by new development and major redevelopment projects of specific land uses and sizes in the County. A WQMP is required as part of the permit process and commits the Master Developer and/or Site Developer, as applicable, to the implementation of long-term BMPs. Individual WQMPs need to identify pollutants of concern based on the proposed land use and site activities, as well as select applicable site design, source control, and treatment control BMPs that would effectively prohibit non-stormwater discharges from entering the storm drain system and that would reduce the discharge of pollutants from stormwater conveyance systems to the maximum extent possible. The WQMP also calls for the on-site retention of stormwater to prevent hydrologic conditions of concern (HCOC), which refer to flooding, erosion, scour, sedimentation, natural habitat impacts, vegetation stress, slope stability, water quality degradation, and altered flow regime at downstream water channels/bodies that may occur if the storm drainage facilities have not been engineered to their ultimate capacities or if natural conditions are present. However, the TGD also designates “HCOC-Exempted Areas,” which are areas where the HCOC analysis is not required if the following occurs: a sump condition; predevelopment runoff would equal post-development runoff; stormwater is diverted to a storage area; disturbance is less than 1 acre; or the watershed area is built out (i.e., 90 percent developed). The Plan Area is in the defined HCOC-exempt area on the County’s online Stormwater Facility Mapping Tool.

4.10.4 Impact Thresholds and Significance Criteria

The CEQA Guidelines Appendix G Initial Study Checklist, includes questions concerning hydrology and water quality. The Project would have a significant effect on the environment if it would:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;

- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - Result in substantial erosion or siltation on-or off-site;
 - Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
 - Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
 - Impede or redirect flood flows;
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation;
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Methodology

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the Project's level of significance concerning hydrology and water quality. This analysis also considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where applicable, feasible mitigation measures are recommended to avoid or reduce the Project's potentially significant environmental impacts.

Approach to Analysis

This analysis of impacts on hydrology and water quality examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on available information in public databases including local planning documents, Preliminary Drainage Study, Preliminary Water Quality Management Plan, Report of Preliminary Infiltration Study, Water Supply Analysis, a Project site evaluation by Kimley-Horn personnel in December 2021, review of Project maps and drawings; and analysis of aerial and ground-level photographs. The determination that a Project component would or would not result in "substantial" adverse effects related to hydrology and water quality includes consideration of the available policies and regulations established by local and regional agencies and any deviation from these policies in the Project's components.

4.10.5 Impacts and Mitigation Measures

Impact 4.10-1 *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?*

Level of Significance: Less than Significant Impact

Construction

The Project site has been previously developed and graded with the construction of parking lots, auxiliary structures, and the ACS. Existing conditions allow for the unmitigated flow of water across the Project site before interception of runoff into stormwater sewers and paved ditches. Existing vegetation include typical landscaping grasses, trees, and shrubs. Project construction activities, such as earth moving, demolition, maintenance/operation of construction equipment, and handling/storage/disposal of materials could contribute to pollutant loading in stormwater runoff from the construction site. In addition, any exposed and stockpiled soils could be subject to wind and conveyance into nearby storm drains, and on-site water activities for dust suppression could contribute to pollutant loading in runoff from the site.

Construction controls to minimize potential water quality impacts would be implemented through compliance with NPDES permit requirements and with County Code Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination System Regulations. In accordance with the requirements of the NPDES permitting program, the Project Applicant (Master Developer and/or Site Developer, as applicable) would prepare and implement a site-specific SWPPP that meets the requirements of the NPDES General Construction Permit and specifies BMPs (e.g., erosion control, sediment control, non-stormwater management, and materials management) to be used during construction, as the Project disturbs more than one acre of soil. With implementation of these BMPs, subject to review and approval by the Santa Ana RWQCB, the Project would reduce or eliminate the discharge of pollutants in stormwater runoff from the construction site to the maximum extent practicable. As such, the water quality of nearby surface waters and groundwater would be maintained via compliance with NPDES permit requirements. In addition, the San Bernardino County Stormwater Program Technical Guidance Document requires the preparation and implementation of a WQMP (refer to **Appendix J** of this EIR), subject to review and approval by the County, to manage stormwater runoff post construction activities and to implement site design and source control BMPs to help ensure stormwater runoff and impervious areas are minimized. With implementation of the WQMP, compliance with the NPDES permit requirements, and implementation of BMPs, Project construction would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or groundwater quality. Mandatory compliance with the SWPPP would ensure that the construction of the Project site would not violate any water quality standards or waste discharge requirements. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.

Operations

According to the Project's Preliminary WQMP (refer to **Appendix J** of this EIR), prepared by Albert A. Webb Associates, stormwater pollutants that would be produced during Project operation include pathogens,

nutrients, noxious aquatic plants, sediment, metals, oil and grease, trash/debris, pesticides/herbicides, and organic compounds.

In accordance with the County's NPDES MS4 permit, the Project Applicant (Master Developer and/or Site Developer, as applicable) is required to prepare and implement a WQMP, which (in addition to the construction requirements discussed above) includes a Project site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters, under long-term conditions via BMPs. Implementation of the WQMP ensures ongoing, long-term protection of the watershed basin. Furthermore, the Project's Preliminary WQMP identified preventative low impact development (LID) site design practices which are intended to control stormwater where it is generated (see **Appendix J**). These LID practices would include maximizing landscaped areas; preserving natural infiltration capacity as possible; preserving existing drainage patterns and time of concentration; disconnecting from impervious areas to the maximum extent practical; utilizing vegetated drainage swales in place of underground piping or imperviously lined swales to the maximum extent practicable and as allowed by County flood control regulations to contain 10-year events in curb and 100-year events in right-of-way; and staking off areas that will be used for landscaping to minimize compaction during construction by roping off to keep unwanted equipment from driving over these areas.

As identified in the Preliminary WQMP included as **Appendix J**, the Project is designed to include on-site non-structural source control BMPs, including but not limited to: education of property owners, tenants and occupants on stormwater BMPs, activity restrictions, landscape management BMPs, BMP maintenance, Title 22 CCR compliance, compliance with local water quality ordinances, a spill contingency plan, hazardous materials disclosure compliance, Uniform Fire Code Implementation, Litter/Debris Control Program, Employee Training, Catch Basin Inspection Program, and Vacuum Sweeping of Private Streets and Parking Lots. Other BMPs utilized for this Project would include underground infiltration perforated pipes, vaults, or chambers designed along with the grading and drainage improvement plans for implementing projects. Proprietary water quality mechanisms such as modular wetlands may also be used. The modular wetlands has the ability to be placed downstream of detention ponds, extended dry detention basins, underground storage systems and permeable paver reservoirs. Per the Project's Drainage Study (see **Appendix J**), on-site flows would be collected by a system of underground chambers and storm drain network. All flows are eventually conveyed to the existing basin located at the southwest corner of the Project site and thereon from the existing basin to the existing San Sevaine channel.

The Project must also comply with all other applicable NPDES permits. In addition, structural source control BMPs would be implemented, including but not limited to: providing storm drain system stenciling and signage (CASQA New Development BMP Handbook SD-13), using efficient irrigation systems and landscape design, water conservation, smart controllers, and source control (Statewide Model Landscape Ordinance; CASQA New Development BMP Handbook SD-12), finishing grade of landscaped areas at a minimum of 1-2 inches below top of curb, sidewalk, or pavement, and protecting slopes and channels and provide energy dissipation (CASQA New Development BMP Handbook SD-10). Additionally, all BMP included as part of the Project WQMP are required to be maintained through regular scheduled inspection and maintenance. Form 5-1 BMP Inspection and Maintenance of the Preliminary WQMP, addresses the

detailed operation and maintenance plan for all BMPs pertaining to this Project. BMP inspection and maintenance include distributing educational materials and conducting annual awareness training; restricting activities such as prohibiting the storage of outdoor material, vehicle and equipment washing, outdoor processing, fueling up and wash water control for food preparation, which may have a negative impact on stormwater quality; inspection and sweeping/removing of trash and debris; and repair and maintenance of lawn and water systems. In addition to mandatory implementation of a WQMP, the NPDES program also requires commercial land uses 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. Under the effective NPDES Industrial General Permit, the Project Applicant (Site Developer) would be required to prepare an SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. Because the NPDES Industrial General Permit is dependent upon the operational activities of the buildings constructed, and the Project's future building occupants and their specific operations are not known at this time, details of the SWPPP (including BMPs) or potential exemption to the SWPPP operational activities requirement cannot be determined at this time. However, mandatory compliance with applicable requirements of the NPDES Industrial General Permit would further reduce potential water quality impacts during long-term Project operation. Therefore, water quality impacts associated with operational activities would be less than significant and no mitigation measures would be required.

Mitigation Measures

No mitigation is required.

Impact 4.10-2 *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Level of Significance: Less than Significant Impact

Construction and Operations

The existing Project site is largely developed with the existing ACS and associated supporting facilities and parking lots; therefore, existing pervious surface is limited. Areas of pervious surface are scarce and scattered through the Project site. The Project was modeled as commercial land use which assumes a 10 percent pervious cover. Project site imperviousness would be 90 percent. Regarding the remaining 10 percent of pervious surface, the Project has maximized the open landscaped areas to the maximum extent allowed by the proposed land use. Although the proposed condition results in approximately 16 percent increase in peak flows, the existing storm drain system is designed for a much higher peak flow and any runoff that occurs would not exceed the system's capacity and would drain into the San Sevaine channel accordingly.

Percolation is just one of several sources of groundwater recharge for the Subbasin. However, groundwater recharge would not be affected due to the distance between the ground surface and the groundwater levels.²⁰ Additional supplemental sources of replenishment water come from recycled water

²⁰ Kleinfelder. 2021. *Preliminary Report of Geotechnical Study Proposed Speedway Commerce Center II County of San Bernardino, California.*

and from increased recharge of local stormwater. Changes in precipitation, evapotranspiration, and runoff are expected to influence recharge off-site. It is possible that increased rainfall intensity may lead to more runoff and less recharge. However, on-site flows would be collected by a system of underground chambers and storm drain network. Additionally, excess flows can be utilized by an existing recycled waterline located in Napa Street, west of the Project area. The recycled waterline was installed by IEUA with service being provided by Fontana Water Company (FWC). As an option to using potable water for irrigation uses, new recycled water facilities may be installed in the backbone streets (Streets “A”, “B”, “C”, and “D”), shown in SCCIISP **Figure 3-17: Conceptual Recycled Water Plan** to provide irrigation water for the Project area. Groundwater was not encountered during investigation which was drilled up to an approximate depth of 51.5 feet bgs and the nearest groundwater monitoring well to the Project site had water level readings indicating a groundwater level of approximately greater than 400 feet bgs. According to Figure IU-4: Regional Flood Control Facilities of the Countywide Plan²¹, there are two basins located north of the Project site: the Hickory Basin and the Banana Basin. However, drainage from the Project site would not be conveyed to these basins, but to an on-site basin located in the southwest corner of the Project site. The existing stormwater detention basin has an earthen bottom and side slopes that have been planted with native vegetation to stabilize the slopes. The basin is earthen except for the concrete slope around the two 144-inch corrugated metal pipe (CMP) culverts that enter the basin on the east side under the railroad track, along with a concrete apron, and basin outlet structure located near the southeast corner of the basin. This feature outlets into San Sevaine Channel, located along the western boundary, outside of the Project site. The Project would modify the existing basin outlet structure to convert the existing detention basin to an infiltration basin to address stormwater flows and treat for stormwater quality. Inclusion of drainage improvements, including the conversion of the basin to an infiltration facility and permeable landscape areas, as a component of the Project would create efficient passageways for runoff water to rejoin the water system. Additionally, drainage of the Project area will be handled through an underground system of storm drains as shown in **Figure 3-19: Conceptual Storm Drainage Plan**. Stormwater will be collected on-site, treated for stormwater quality, and discharged to existing and proposed drainage facilities in the backbone streets and conveyed to the existing San Sevaine channel in the southwest corner of the Project area. The existing basin would be used as a natural infiltration basin and no underground infiltration facility is proposed. Based on the small size of the Project site in relation to the size of the groundwater subbasin 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 result in a less than significant impact to local groundwater recharge. Construction activities would not directly impact groundwater sources.

The Project would be developed within the western portion of the FWC service area. FWC receives groundwater from multiple groundwater sources including the Chino Basin, the Lytle Basin, the Rialto-Colton Basin, and the No Man’s Land Basin. The Project site is within the Chino Groundwater Basin, which is an adjudicated groundwater basin. As described above in **Section 4.10.2**, the Chino Basin contains over 5,000,000 AF of groundwater with an additional 1,000,000 AF unused storage capacity.²² The Chino Basin is FWC’s primary source of water and maintains an 11.66 percent share of the Operating Safe Yield

²¹ County of San Bernardino. 2020. Figure IU-4 *Regional Flood Control Facilities*.

<https://www.arcgis.com/apps/webappviewer/index.html?id=dd83d0a0ab4941048f16ea787d60d381> (accessed February 2022).

²² Stetson Engineers Inc. 2021. *Water Supply Assessment for Speedway Commerce Center II Project*. Page 14. San Bernardino County, CA.

of the Chino Basin. In 2020, the Chino Basin produced 11,859 AFY of the FWC's 39,831 AFY water supply total for that year.²³ FWC's average annual production from the Chino Basin from 2001 to 2020 was approximately 14,824 AFY. During the most recent five years, Chino Basin's annual production ranged from approximately 9,351 AFY to 16,299 AFY. The FWC is also projected to utilize 13,183 AFY of Chino Basin groundwater in 2045 and have a total water supply of 51,943 AFY from all sources in that same year.²⁴ The total Project water demand was estimated by multiplying the planned Project site area by a water use rate of 3,500 gallons per day (gpd) per acre derived from average recorded water use data for large industrial warehouse buildings within FWC's service area. The estimated water demand for the commercial and industrial area of the Project is approximately 596 AFY (or 6,627,018 sf x (1 acre / 43,560 sf) x 3,500 gpd per acre x (0.00112 AFY / 1 gpd)). FWC would need to produce approximately 646 AFY of potable water in order to supply 596 AFY to the Project site. The FWC's water supply is projected to increase through 2045 with a projected 51,943 AFY. The Project's total water demand of 596 AFY would constitute approximately 4.5 percent of the FWC's Chino Basin sourced groundwater in the year 2045. This means that as FWC's water supply increases through 2045, the Project would continue to comprise a decreasing percentage of that sourced groundwater. Therefore, impacts related to groundwater supplies would be less than significant impact, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.10-3 ***Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***

Result in substantial erosion or siltation on- or off-site?

Level of Significance: Less than Significant Impact

Construction and Operations

Per the Project's Drainage Study (**Appendix J**), on-site flows generated by the Project, would be conveyed via sheet flow across the site into shallow channelized flow paths that would utilize approximately 15,000 linear feet of culverts. The Project would utilize subsurface storm drain systems that convey flows into the underground chambers and storm drain network. Although, the underground chambers are only provided for water quality treatment and were not designed for flood control, a combination of the existing channel running along the south border of the Project and approximately 1,700 linear feet of existing and proposed box culverts would intercept surface flows. These flows then confluence with flows from another storm drain system running along the westerly boundary of the Project site. Then, all flows are conveyed to the existing basin located at the southwest corner of the Project site and thereon from the existing basin to the existing San Sevaine channel. Although the proposed condition results in approximately 16 percent increase in peak flows, the existing storm drain system is designed for a much higher peak flow and any runoff that occurs would not exceed the system's capacity and would drain into

²³ Ibid. Page 12.

²⁴ Fontana Water Company. 2021. 2020 Urban Water Management Plan. Table 6-1. <https://www.fontanawater.com/wp-content/uploads/2021/10/FWC-2020-UWMP-June-2021-Final.pdf> (accessed February 2022).

the San Sevaine channel accordingly. The existing channel running along the south border of the Project, together with the portion of existing upstream storm drain and portion of existing downstream box culvert have enough capacity to convey the proposed flows. Although the same drainage patterns would be maintained, the Project would result in changes to the site's existing, internal drainage patterns. There is a substantial amount of existing impervious surfaces, but the site is currently designed to conduct stormwater to off-site stormwater drainage facilities, such as the San Sevaine Channel. Redevelopment would result in slight modifications to the existing man-made drainage patterns but would not substantially alter flows. In addition, the Project would include the installation of an integrated, on-site system consisting of measures designed to capture and control stormwater. These measures may include, but would not necessarily be limited to, underground storm drainpipes, catch basins, LIDs, and other structural BMPs to capture on-site stormwater runoff, and temporarily capture and hold stormwater before conveying the runoff off-site. Thus, with these measures in place, the Project will not substantially alter the existing drainage pattern of the site in a manner which would result in substantial erosion or siltation and impacts in this regard would be less than significant.

The geotechnical assessment conducted for the Project (**Appendix G** of this EIR) recommended that existing fill soils be excavated to improve safety and support of proposed structures. Impacts from grading, including erosion, are discussed in **Section 4.7: Geology and Soils**, which notes that through the excavation and removal of the fill material, the development of the Project would require grading preparation, excavation, site stripping and demolition that could result in soil erosion if exposed to periods of high wind or storm-related events. General dust control measures such as watering would be required to minimize erosion. Construction contractors would also be required to prepare a dust control plan in compliance with South Coast Air Quality Management District (SCAQMD) Rule 403 to further reduce soil erosion from wind.

The BMPs included in the NPDES, SWPPP, and WQMP created for the Project would also minimize potential impacts from erosion and siltation. Further, an erosion control plan required as part of the County's grading plan requirements would also be implemented to further minimize potential siltation and erosion effects. Implementation of dust control measures along with BMPs included in the NPDES, SWPPP, and WQMP would reduce potential environmental effects from erosion or siltation, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Impact 4.10-5 ***Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***

Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Level of Significance: Less than Significant Impact

Construction and Operations

The Project would include development of approximately 433 acres of the approximately 522 acres of land presently occupied by the ACS and associated uses. The existing drainage pattern for the Project site and the general area is characterized by sheet flow. Under existing conditions, the Project site naturally drains from the northeast to the southwest and an open stormwater channel exists on the south side of the Project site. This channel intercepts all runoff within the Project area and outlets into an existing drainage basin located at the southwest corner of the site. All off-site flows are intercepted by Cherry Avenue to the east and existing San Sevaine Channel to the west of the Project site.

Per the Project's Drainage Study, on-site flows would be collected by a system of underground chambers and storm drain network. Almost all storm drains are directed to the existing channel located along the south boundary of the project. From thereon, flows are conveyed by a combination of existing and proposed box culverts. These flows then confluence with flows from another storm drain system running along the westerly boundary of the Project site. Finally, all flows are conveyed to the existing basin located at the southwest corner of the Project site, and thereon from the existing basin to the existing San Sevaine channel. Any runoff that may occur would not exceed the system's capacity as existing downstream and upstream facilities have adequate capacity to convey 1,135 cfs. The Project is expected to produce a total flow of 885.8 cfs. The Project would construct the new storm drain facilities that would connect to the existing detention basin in the southwest corner of the site. Therefore, the Project would not significantly impact flooding condition to upstream or downstream properties.

According to the Preliminary Drainage Study (**Appendix J**), the proposed development for the Project site results in an approximately 16 percent increase in peak flows, producing a total flow of 885.8 cfs from the Project site and tributary to the channel, compared to the existing 762.2 cfs. However, the existing storm drain system is designed for a much higher peak flow at 1,135 cfs. Furthermore, the existing channel running along the south border of the Project, together with the portion of existing upstream storm drain and portion of existing downstream box culvert have enough capacity to convey the proposed flows. Therefore, based on the analysis performed, it can be safely concluded that the proposed drainage improvements will adequately convey flows to the existing San Sevaine channel and provide flood protection for the 100-year storm event and the Project would not impact flooding condition to upstream or downstream properties. Therefore, impacts related to increasing rates of runoff would be less than significant, and no mitigation is required.

The Project proposes the construction of new public roads which would be constructed with appropriate stormwater conveyance facilities such as curb and gutter. Flows from 10-year storm events will be contained within the street curb to curb width, and 100-year storm events will be contained within the right-of-way. These public roads would add new shallow channelized flow paths for runoff. Runoff contained within the public right-of-way, including curb and gutter, would flow into underground public storm drain facilities which in turn would flow to the infiltration basin in the southwest corner of the Project site. Stormwater runoff from property outside the public right-of-way would be collected on-site, conveyed by underground storm drainpipes to underground infiltration basins/chambers where stormwater quality volumes are detained and infiltrated into the ground. Larger storm events would pass

through the underground infiltration basins/chambers, be conveyed by storm drain facilities through the infiltration basin in the southwest corner of the Project site and discharged into the San Sevaine Channel

Mitigation Measures

No mitigation is required.

Impact 4.10-6 ***Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***

Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Level of Significance: Less than Significant Impact

As discussed previously, the Project site must comply with the requirements of the NPDES Industrial General Permit, which helps control water pollution by regulating point and non-point sources that discharge pollutants into receiving waters. The Project would include the development of new stormwater conveyance facilities designed to account for the 100-year, 24-hour storm event without flooding.

As mandated by the RWQCB and through implementation of the WQMP, the Project site's design features would include new stormwater drainage system facilities that would be engineered, designed, and installed to satisfy all water quality requirements. These measures would include minimizing impervious surfaces as feasible and directing flows to LID areas; integrating appropriately sized LIDs to ensure post-development flows do not exceed pre-development flows; and where feasible, incorporating bio-retention in combination with site planning, and dispersion of runoff to meet LID requirements. Although the Project results in approximately 16 percent increase in peak flows, the existing storm drain system is designed for a much higher peak flow and any runoff that occurs would not exceed the system's capacity and would drain into the San Sevaine channel accordingly. The existing channel running along the south border of the Project, together with the portion of existing upstream storm drain and portion of existing downstream box culvert have enough capacity to convey the proposed flows.

To ensure that the new stormwater drainage improvements are planned and designed to satisfy these requirements as well as all other applicable standards and requirements, they would be verified by the County and incorporated as conditions of approval of the Project prior to the issuance of any construction permit. Compliance with these requirements would ensure impacts are less than significant and mitigation would not be required.

Mitigation Measures

No mitigation is required.

Impact 4.10-7 ***Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***

Impede or redirect flood flows?

Level of Significance: Less than Significant Impact

Construction and Operations

According to the FEMA Flood Insurance Rate Map (FIRM), the Project site is located within FEMA Flood Zone X (shaded) and (unshaded); see **Section 4.10.2, Regulatory Setting** for detailed information.

According to the Preliminary Drainage Study (**Appendix J**), the rational method was used to determine peak flow rates in order to adequately size the proposed subsurface storm drains and associated inlets used to convey on-site flows to the existing basin, and eventually to San Sevaine channel for the Project site. The Preliminary Drainage Study reviewed flows from the northeast corner to the southwest corner of the Project site. It was observed that future on-site flows would be diverted to a system of existing and proposed underground chambers and storm drain facilities within the Project site. The underground chambers are only provided for water quality treatment and were not designed for flood control mitigation purposes. Stormwater runoff from the western portion of the site is directed to the existing channel located along the southern boundary of the Project site, via underground storm drain facilities. From thereon, flows will be conveyed by a combination of existing and proposed storm drainpipes and box culverts. These flows then confluence with a new proposed storm drain system running along the westerly boundary of the Project, containing runoff from the remaining portion of the site. Finally, all flows would be conveyed to the existing basin located at the southwest corner of the Project site and thereon from the existing basin to the existing San Sevaine channel. The Project was modeled as commercial land use which assumes a 10 percent pervious cover. As shown in the Preliminary Drainage Study, the proposed condition for the Project site results in an approximately 16 percent increase in peak flows (885.8 cfs), however, the existing storm drain system is designed for a much higher peak flow (1,135 cfs). Furthermore, the existing channel running along the south border of the Project, together with the portion of existing upstream storm drain and portion of existing downstream box culvert have enough capacity to convey the proposed flows. Therefore, based on the analysis in the Preliminary Drainage Study, it can be safely concluded that the proposed drainage improvements would adequately convey flows to the existing San Sevaine channel and provide flood protection for the 100-year storm event; the existing downstream and upstream facilities have adequate capacity; the existing system has a capacity to convey 1,135 cfs; and the Project would not impact flooding condition (including by impeding or redirecting flood flows) to upstream or downstream properties. Therefore, the proposed drainage improvements would adequately convey flows to the existing San Sevaine channel and provide flood protection for the 100-year storm event and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Impact 4.10-8 *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Level of Significance: Less than Significant Impact

Construction and Operations

The Pacific Ocean is located approximately 42 miles from the Project site. Considering this distance, there is no potential for the site to be impacted by a tsunami. Additionally, surface water flow at the Project site is generally via sheet flow in a southwesterly direction. As previously described, the Project site is within a flood hazard zone “X” FP2, where flooding is anticipated once in 500 years or, if more frequently, only to minimal depths. However, the Project site is not listed by the County of San Bernardino as being in any mapped dam inundation hazard zone.²⁵ Furthermore, the Project site is not downstream of large bodies of water or tanks which potentially could cause flooding and inundate the Project site. The risk of seiche damage following a seismic event at the Project site is considered low. Therefore, the Project would result in a less than significant impact and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.10-9: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Level of Significance: Less than Significant Impact

Construction and Operations

As discussed in the Impacts discussions above, the Project site is located within the Santa Ana River Watershed basin. The site’s 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. The Project would be required to show conformance prior to any approval. 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 within the Chino Groundwater Basin, which is an adjudicated groundwater basin. Adjudicated basins, like the Chino Groundwater Basin, are exempt from the 2014 Sustainable Groundwater Management Act (SGMA) because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of the Subbasin. Therefore, none of the Project components would obstruct or prevent implementation of the management plan for the Chino Groundwater Basin. As such, construction, and operation of the Project site, would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

4.10.6 Cumulative Impacts

Cumulative impacts to hydrology and water quality could occur as new development, redevelopment, and existing uses are ongoing within the watershed. This includes the Project site and other past, present, and future projects. Because parts of the watershed are already developed, growth is anticipated to consist

²⁵ Kleinfelder. 2021. *Preliminary Report of Geotechnical Study Proposed Speedway Commerce Center II County of San Bernardino, California.*

of a mix of redevelopment. Depending on the site of projects, they would be required to prepare and implement SWPPP with BMPs to control erosion and stormwater runoff in accordance with all required water quality permits and the Water Quality Control Plan. This would include conformance with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Plan and the MS4 Permit. Water Quality Control Plans would be completed for cumulative projects, in accordance with the Technical Guidance Document for Water Quality Management Plans, as part of the County Areawide Stormwater Program, which in turn would be approved by the RWQCB. As needed, projects would implement BMPs, including LID BMPs to minimize runoff, erosion, and stormwater pollution. As part of these requirements, projects would be required to implement and maintain source controls, and treatment measures to minimize polluted discharge and prevent increases in runoff flows that could substantially decrease water quality. Conformance with these measures would minimize runoff from those sites and reduce contamination of runoff with pollutants. Therefore, related projects are not expected to cause substantial increases in stormwater pollution. With compliance with State and regional mandates, cumulative impacts would be less than significant, and Project impacts would not be cumulatively considerable.

Furthermore, other projects within the Santa Ana River Basin would develop impervious areas, thus increasing runoff and flows into storm drainage systems. Projects in this area would be required to implement BMPs limiting impervious surfaces and—where feasible—infiltrating, evapotranspiring, harvesting, or reusing certain rates of volumes of runoff. Implementation of such BMPs would reduce cumulative impacts to hydrology and drainage to less than significant. Future projects within the Santa Ana River Basin may be proposed within 100-year flood zones. Such projects would be mandated to comply with National Flood Insurance Program requirements. In addition, other jurisdictions within this watershed regulate development within flood zones, as does San Bernardino County through its Code of Ordinances Chapter 85.07; such regulation would limit cumulative flood hazard impacts. Cumulative impacts to hydrology, drainage, and flooding would not be cumulatively considerable. Projects would generate pollutants that could contaminate stormwater. Requirements of the aforementioned MS4 permits include site design BMPs minimizing post-project runoff; structural and nonstructural source control BMPs reducing the potential for pollutants to enter runoff; and treatment control BMPs removing pollutants from contaminated stormwater. Cumulative water quality impacts would be less than significant after compliance with such permits and would not be cumulatively considerable.

4.10.7 Significant Unavoidable Impacts

No significant and unavoidable impacts concerning hydrology and water quality have been identified.

4.10.8 References

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4.11 LAND USE AND PLANNING

4.11.1 Introduction

This section of the EIR evaluates the potential land use and planning impacts associated with the development of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project). This section discusses the Project's environmental setting, applicable policies and regulations, and mitigation measures that would minimize potentially significant impacts, if any are identified. The Project would include a Specific Plan, Development Agreement, and Tentative Parcel Map. A Revision to an Approved Action would also be required to revise the existing Planned Development for the Auto Club Speedway (ACS) to remove from its coverage approximately 433 acres of the ACS site that would be governed by the Project's new Specific Plan. Baseline conditions were established based on the Project site's existing conditions, and potential impacts associated with the implementation of the Project were compared to those baseline conditions. As discussed in **Section 3.0: Project Description**, the Project will develop e-commerce, high-cube logistics, parking field and drop lot areas, and ancillary commercial facilities.

Information used to prepare this section includes resources from:

- County of San Bernardino (2020). *San Bernardino Countywide Plan*.
- County of San Bernardino (2019). *San Bernardino Countywide Plan Draft Environmental Impact Report*.

4.11.2 Environmental Setting

The Project is located in an unincorporated portion of San Bernardino County (County) within the City of Fontana Sphere of Influence (SOI). The Project site is bound by Cherry Avenue to the east, an active freight and passenger rail line to the north, the West Valley Materials Recycling Facility to the west, and California Steel Industries to the south. Ten Assessor Parcel Numbers (APNs) make up the Project site. Specifically, APNs 0231-011-09, 0231-011-10, 0231-011-11, 0231-011-12, 0231-111-06, 0231-111-10, 0231-111-17, 0231-111-18, 0231-111-19, and 0231-111-20.

The majority of the site is currently developed with improvements related to the ACS. The Project site is developed with a two-mile, D-shaped, oval track with three pit garages, viewing suites, grandstands, bleachers, access ways, and associated facilities in the center. A midway with restaurants, entertainment, and display facilities is located south of the grandstand. The facility also has a motorcycle track, drag strip, and exterior go-kart track. Other ancillary buildings associated with the event center are also located on-site including a race control tower, administration buildings, maintenance building, helipads, fueling islands, and overhead and underground utility infrastructure.

Existing Land Use and Zoning Designations

Surrounding Land Uses

As shown in **Table 3-1: Land Uses**, in **Section 3.0: Project Description**, the Project site is surrounded by railroad infrastructure immediately north of the Project site as well as truck/trailer storage warehousing, manufacturing, offices, and single-family residential units. Service garage, light industrial, and office land

uses are present immediately south of the Project site. Warehousing, truck leasing, automotive dealers, and single-family residential units are located east of the Project site. Finally, warehousing, distribution, and logistics land uses as well as the San Sevaine Channel are located west of the Project site. Finally, warehousing, distribution, and high-cube logistics land uses as well as the San Sevaine Channel are located west of the Project site.

General Plan Land Use Category

The County adopted the Countywide Plan, on October 27, 2020 which acts as their General Plan.¹ The Countywide Plan includes a Policy Plan which details the County's adopted land use categories and their allowed uses. The adopted land use maps also display the land use categories within specific areas of the County. Specifically, Policy Map LU-1B shows the land use category associated with the Project site.² **Table 4.11-1: Existing Land Use Category and Zoning District** shows the existing land use designations for each APN associated with the Project.

Table 4.11-1: Existing Land Use Category and Zoning District

APN	Existing Land Use Category	Existing Zoning District
0231-011-09	Commercial	Special Development-Commercial
0231-011-10	Commercial	Special Development-Commercial
0231-011-11	Commercial	Special Development-Commercial
0231-011-12	Commercial	Special Development-Commercial
0231-111-06	Commercial	Special Development-Commercial
0231-111-10	Commercial	Special Development-Commercial
0231-111-17	Commercial	Special Development-Commercial
0231-111-18	Commercial	Special Development-Commercial
0231-111-19	Commercial	Special Development-Commercial
0231-111-20	Commercial	Special Development-Commercial

Sources: San Bernardino County. 2020. Policy Map LU-1B Land Use Map Mountain Region. https://countywideplan.com/wp-content/uploads/sites/68/2021/02/LU-1A-E_201027.pdf (accessed February 2022)
San Bernardino County. 2008. *San Bernardino County Land Use Zoning Districts Map FH28-A*. http://cms.sbcounty.gov/Portals/5/Planning/ZoningOverlayMaps/LUZD/FH28A_20090814.pdf (accessed February 2022)
San Bernardino County. 2008. *San Bernardino County Land Use Zoning Districts Map FH29-A*. http://cms.sbcounty.gov/Portals/5/Planning/ZoningOverlayMaps/LUZD/FH29A_20100422.pdf (accessed February 2022)

According to the Countywide Plan, the Project site is designated for commercial uses and is currently predominantly developed as an automotive speedway with associated facilities and parking improvements. Commercial land use areas defined in the Policy Plan allow for the development of retail, office, and service commercial businesses that serve the needs of local residents, regional markets, and visitors/tourists. These land use areas are intended to generate additional employment and revenue within the County.³

¹ San Bernardino County. 2020. *San Bernardino County Board of Supervisors Agenda Item: Countywide Plan, Community Action Guides and Related Actions*. <https://sanbernardino.legistar.com/LegislationDetail.aspx?ID=4677224&GUID=2A0839A8-A84B-48FE-91B8-2CF04B5D4080#> (accessed February 2022).

² San Bernardino County. 2020. Policy Map LU-1B Land Use Map Mountain Region. https://countywideplan.com/wp-content/uploads/sites/68/2021/02/LU-1A-E_201027.pdf (accessed February 2022)

³ San Bernardino County. 2020. Countywide Policy Plan. Table LU-1: Land Use Categories. Page 9. Retrieved from: https://countywideplan.com/wp-content/uploads/sites/68/2020/12/CWP_PolicyPlan_HardCopy_TablesLU-1-3_20201027_adopted.pdf (accessed September 27, 2021)

Zoning Districts

Table 4.11-1: Existing Land Use Categories and Zoning District included above summarizes the existing zoning of each of the APNs associated with the Project. The Project APNs are zoned as Special Development-Commercial (SD-COM), with an underlying Planned Development (PD), described below. Title 8 of the County’s Development Code (SBCDC) contains the County’s Development standards which outlines the allowed uses of each zoning district. Specifically, SBCDC § 82.01.020 defines Special Development zones as areas which allow for a combination of residential, commercial, industrial, agricultural, open space and recreation uses, and similar and compatible uses. Furthermore, the COM suffix of the SD-COM zoning district denotes an area which is focused on commercial Planned Development projects. **Table 4.11-2: Development Standards** outlines the required characteristics of sites zoned for Special Development.

Table 4.11-2: Development Standards

Feature	Development Standard
Maximum Density	1du/40ac ADUs are also allowed
Maximum FAR	0.50
Front Setback	25 feet
Side Setback (Interior)	10 feet
Side Setback (Street)	25 feet
Rear Setback	10 feet
Maximum Lot Coverage	80%
Maximum Height	50 feet
Minimum Landscaping	20% or 1,000 sqft ¹ 15% or 1,000 sqft ²
Minimum Parking ³	1 for each 1,000 sq. ft. of the first 40,000sq. ft. of GFA 1 for each 4,000 sq. ft. of GFA for the portion over 40,000 sq. ft. 1 for each facility vehicle
<p>Sources: County of San Bernardino. 2008. <i>San Bernardino County Development Code Section 82.06.060. Table 82-19B.</i> https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncity_ca/0-0-0-168074 (accessed February 2022) County of San Bernardino. 2008. <i>San Bernardino County Development Code Section 83.11.040. Table 83-15.</i> https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncity_ca/0-0-0-170214#JD_83.11.090 (accessed February 2022) County of San Bernardino. 2008. <i>San Bernardino County Development Code Section 83.10.060. Table 83-12.</i> https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncity_ca/0-0-0-170039#JD_Chapter83.10 (accessed February 2022)</p>	
<p>Notes: 1. Retail land uses. 2. Industrial/Warehouse land uses. 3. Industrial land uses ADU = Accessory Dwelling Unit du/ac = dwelling units per acre GFA = Gross Floor Area Sq. ft. = square feet</p>	

Planned Development Permit

The County's Development Code Section 84.18.020 Planned Development Standards allows for development, through a Planned Development, of any area within the County that meets the provisions of the development application requirements identified in Chapter 85.10 Planned Development Permit. The Planned Development process is intended to provide greater design flexibility and encourage more efficient use of a project site. A Planned Development application is subject to approval by the Board of Supervisors.

Original Development Plan—Speedway Planned Development

On May 2, 1995, the County Board of Supervisors certified a Final EIR and approved the Speedway Planned Development Permit (PD). The PD was intended to “create a major motor sports facility,” and authorized in pertinent part a two-mile oval racetrack and support facilities. The 1995 Development Plan authorized capacity for up to 105,000 attendees at events with grandstand seating to accommodate 93,832 people. Beginning in 2001, the approved 1995 Development Plan went through twelve formal revisions. In 2020 and 2021, two Revisions to an Approved Action for the Next Gen in California Project (Next Gen motorsports facility) were requested and approved by the County Board of Supervisors. These revisions revolved primarily around the configuration of the racetrack, authorizing the construction of a 0.67-mile track to replace the existing two-mile oval. The original PD, as revised, currently controls development standards and uses of the Project site. The Next Gen Project is further described in **Section 3.0: Project Description (Section 3.3: Project Background)**.

Revision to an Approved Action-Major

A Revision to an Approved Action is needed to modify the existing PD for the Auto Club Speedway/Next Gen Project to remove from its coverage approximately 433 acres of the ACS site that would be governed by the new Specific Plan. The remaining approximately 90 acres for the Next Gen motorsports facility would continue to be governed by the 1995 Development Plan, as revised by the County in June 2021. The revisions to the 1995 Development Plan would not change the development or operations permitted under the plan for the Next Gen Project. The approximately 433 acres of the Specific Plan area would be governed by the SCCIISP.

Speedway Commerce Center II Specific Plan

The SCCIISP consists of the redevelopment of approximately 433 acres of the approximately 522-acre ACS site. Approximately 90 acres of the ACS site will be retained by California Speedway, LLC for development and operation of the NASCAR Next Gen motorsports facility approved by the County in June 2021 (the 90-acre motorsports facility is not a part of this Specific Plan). The redevelopment under this Specific Plan would include the following:

- Approximately 6,600,000-square-feet of high-cube logistics and e-commerce uses and 261,360-square-feet of ancillary commercial uses;
- Approximately 98 acres of parking field/drop lot areas to accommodate ongoing Next Gen motorsport facility events on designated days as well as parking for permitted land uses;

- Open Space area for gathering, parkway landscaping, and stormwater;
- New public roadways, transit connections, and infrastructure to support the proposed uses as well as ongoing motorsports events; and
- A multi-use trail along street “A,” employee break areas, enhanced landscaping, and other future uses.

The SCCIISP would serve as the mechanism to ensure that the Project is developed in an organized and cohesive manner. The SCCIISP incorporates a development framework for detailed land use, circulation, and infrastructure, including dry utilities, drainage, sewer, and water facilities, and urban design and landscape plans.

A comprehensive set of design guidelines and development regulations are also included to guide and regulate site planning, landscape, and architectural character within the SCCIISP area and to ensure that excellence in design is achieved during Project development. The SCCIISP establishes the procedures and requirements to approve and implement new development within the Project site.

Upon the County’s approval of the SCCIISP and Revision to an Approved Action-Major, the SCCIISP would control land use, development standards and design standards for the approximately 433-acre Project site. The Project would be consistent with this planning document.

4.11.3 Regulatory Setting

State

State Planning Law

State planning law (California Government Code [CGC] § 65300) requires every county in California to adopt a comprehensive, long-term general plan for physical development of the county. A general plan should consist of an integrated and internally consistent set of goals and policies that are grouped by topic into a set of elements and are guided by a countywide vision. State law requires that a general plan address nine elements or topics (land use, circulation, housing, conservation, open space, noise, safety, climate adaptation and resiliency, and environmental justice), but allows some discretion on the arrangement and content. Additionally, each of the specific and applicable requirements in the state planning law should be examined to determine if there are environmental issues within the county that a general plan should address. The Countywide Plan’s Policy Plan, discussed below, serves as the County’s General Plan replacing the previously adopted 2007 General Plan.

Regional

Southern California Association of Governments

The Southern California Association of Governments (SCAG) is a Joint Powers Authority 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 Metropolitan Planning Organization and under state law as a Regional Transportation Planning Agency and a Council of Governments. Generally, SCAG develops long-range regional transportation plans including sustainable

communities' strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations, and a portion of the South Coast Air Quality management plans. SCAG also developed the Regional Comprehensive Plan, the Regional Housing Needs Assessment (RHNA), and the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS).

SCAG 2020-2045 Regional Transportation Plan/Sustainable Cities Strategy

The SCAG 2020 – 2045 RTP/SCS, is a long-term planning document intended to guide the growth of the region that includes Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties. The 2020-2045 RTP/SCS allows public agencies who implement transportation projects to do so in a coordinated manner and assists the region in achieving California's greenhouse gas emission reduction goals and federal Clean Air Act requirements. The plan also strives to achieve broader regional objectives, such as the preservation of natural lands, improvement of public health, increased roadway safety, support for the region's vital goods movement industries and more efficient use of resources.

SCAG Regional Comprehensive Plan

SCAG's 2008 Regional Comprehensive Plan (RCP) is a major advisory plan prepared by SCAG that addresses important regional issues such as land use and housing, open space and biological habitats, water, energy, air quality, solid waste, transportation, security and emergency preparedness, economy, and education. The RCP serves as an advisory document to local agencies in the southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance. The RCP presents a vision of how southern California can balance resource conservation, economic vitality, and quality of life. The RCP identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way. It also includes goals and outcomes to measure our progress toward a more sustainable region.

Local

The Countywide Plan

The County of San Bernardino Countywide Plan and Final EIR were certified on October 27, 2020.⁴ The Countywide Plan includes two documents: Policy Plan and Business Plan. The Policy Plan expanded the scope of a general plan beyond land use planning to include other services provided by County government. Supportive services, healthcare, public safety, and other services provided to both incorporated and unincorporated areas of the County are discussed in the new plan. The Policy Plan serves as the County's General Plan and includes the required elements and goals and policies to shape future growth in the County.

Goals and policies from the Policy Plan's Land Use Element pertinent to the Project are as follows:

Goal LU-1 Fiscally Sustainable Growth. Growth and development that builds thriving communities, contributes to our Complete County, and is fiscally sustainable.

⁴ County of San Bernardino. 2020. *The Countywide Plan*. <http://countywideplan.com/> (accessed September 2021).

- Policy LU-1.1** **Growth.** We support growth and development that is fiscally sustainable for the County. We accommodate growth in the unincorporated county when it benefits existing communities, provides a regional housing option for rural lifestyles, or supports the regional economy.
- Policy LU-1.2** **Infill development.** We prefer new development to take place on existing vacant and underutilized lots where public services and infrastructure are available.
- Policy LU-1.5** **Development impact fees.** We require payment of development impact fees to ensure that all new development pays its fair share of public infrastructure.
- Goal LU-2** **Land Use Mix and Compatibility. An arrangement of land uses that balances the lifestyle of existing residents, the needs of future generations, opportunities for commercial and industrial development, and the value of the natural environment.**
- Policy LU-2.1** **Compatibility with existing uses.** We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.
- Policy LU-2.4** **Land Use Map consistency.** We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.
- Policy LU-2.6** **Coordination with adjacent entities.** We require that new and amended development projects notify and coordinate with adjacent local, state, and federal entities to maximize land use compatibility, inform future planning and implementation, and realize mutually beneficial outcomes.
- Policy LU-2.7** **Countywide jobs-housing balance.** We prioritize growth that furthers a countywide balance of jobs and housing to reduce vehicle miles traveled, increase job opportunities and household income, and improve quality of life. We also strive for growth that furthers a balance of jobs and housing in the North Desert region and the Valley region.
- Policy LU-2.10** **Unincorporated commercial development.** We intend that new commercial development in the unincorporated areas serve unincorporated residential areas, tourists, and/or freeway travelers. We encourage new commercial development to be concentrated to enhance pedestrian circulation and reduce vehicular congestion and vehicle miles traveled, with new development directed into existing centralized areas when possible.
- Policy LU-2.12** **Office and industrial development in the Valley region.** We encourage office and industrial uses in the unincorporated Valley region in order to promote a countywide jobs-housing balance.

- Policy LU-3.3** **City/town standards in SOIs.** Upon negotiation with individual jurisdictions, we may require new development in unincorporated municipal sphere of influence areas to apply the improvement standards for roads and sidewalks of the incorporated jurisdiction.
- Goal LU-4** **Community Design. Preservation and enhancement of unique community identities and their relationship with the natural environment.**
- Policy LU-4.3** **Native or drought-tolerant landscaping.** We require new development, when outside of high and very high fire hazard severity zones, to install and maintain drought-tolerant landscaping and encourage the use of native species.

San Bernardino Code of Ordinances

The County of San Bernardino Code of Ordinances, Title 8: Development Code implements the goals and policies of the Policy Plan (Countywide Plan) by regulating land use within unincorporated areas of the County. The County's Development Code provides the basis for current zoning districts and development regulations in unincorporated areas.

4.11.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning land use. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section. Accordingly, the Project would have a significant adverse environmental impact if it would:

- Physically divide an established community.
- 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.

Methodology

This analysis analyzes the Project's consistency with regional and local plans, policies, and regulations for the purposes of avoiding or mitigating an environmental effect. Specifically, the Project was analyzed with respect to the applicable regional planning guidelines and strategies of SCAG's 2020-2045 RTP/SCS and the County's Policy Plan. This analysis also analyzes whether the Project would physically divide an established community.

Approach to Analysis

This analysis of impacts on land use and planning components examines the Project's consistency with existing land use designations and developments, as well as the Project's compliance with established land use policies and plans. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in land use conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial"

adverse effects on land use and planning standards considers the available policies and regulations established by regional and local agencies and evaluates the Project's overall consistency with applicable goals and policies.

4.11.5 Impacts and Mitigation Measures

Impact 4.11-1 *Would the Project physically divide an established community?*

Level of Significance: No Impact

Construction and Operations

The Project proposes the redevelopment of approximately 433 acres of the County which has previously been developed for the ACS, including associated facilities, and parking. Improvements associated with the Project include up to approximately 6.6-million-square-foot of high-cube logistics and e-commerce development with approximately 261,360-square-foot of ancillary commercial development and approximately 98 acres of parking field and drop lot areas. The Project site would also be developed with greenbelts, public roads, other support amenity features, and water detention areas.

Projects that are typically considered to have the potential to divide an established community include the construction of new freeways, highways, roads, or other uses that physically separate an existing or established neighborhood. As summarized in **Section 4.11.2: Environmental Setting**, the Project site is developed with existing buildings and structures used for commercial/entertainment purposes and does not include existing residential structures or an established community and is not currently zoned for residential use. Neighboring land uses to the north and east of the Project site include single family residential units which are located among railroad services, warehousing, manufacturing, and truck sales/leasing business. These dwelling units and neighborhoods are separated from the Project site by railroad improvements bordering the northern end of the Project site, and Cherry Avenue bordering the eastern portion of the Project site.

The redevelopment of the Project site would not include improvements which would substantially alter existing roadways and transportation corridors in a manner that would cause the removal or separation of existing adjacent communities from important resources and neighboring units. Roadway improvements associated with the Project would also increase transportation efficiency within the Project site and adjacent roadways without degrading the existing neighborhoods. Therefore, the Project would not physically divide an established community and there would be no impact.

Mitigation Measures

No mitigation is required.

Impact 4.11-2 *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?*

Level of Significance: Less than Significant Impact

Construction and Operations

CEQA requires that an EIR consider whether a Project may conflict with any applicable land use plan, policy, or regulation (including, but not limited to the general plan, specific plan, or zoning ordinance) that was adopted for the purpose of avoiding or mitigating an environmental effect. This environmental determination differs from the larger policy determination of whether a proposed Project is consistent with a jurisdiction's general plan. The broader General Plan consistency determination takes into account all evidence in the record concerning the Project characteristics, its desirability, as well as its economic, social, and other non-environmental effects. Regarding plan or policy consistency, a project is evaluated in terms of whether the proposed site plan, design features, and/or development at a particular location would substantially impede implementation of an adopted plan or policy. The Project would be required to comply with any applicable state, regional, and local land use plans, policies, and regulations. Projects should be consistent with applicable policies in order to promote the efficient, sustainable growth projected in the long-term planning documents. In addition, Specific Plans must be consistent with the adopted General Plan (Gov. Code, §§ 65454).

At a regional level, the Project would comply with the goals and policies presented in SCAG's 2020-2045 RTP/SCS. Locally, the Project would comply with the County's Policy Plan document. The Project would also comply with the design guidelines and development regulations of the SCCIISP. The mere fact that a Project may be inconsistent in some manner with particular policies in a general plan or zoning ordinance does not, per se, amount to a significant environmental effect. In the context of land use and planning, significant impacts occur when a conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project results in an adverse physical environmental impact. This consistency analysis provides a general overview of whether the Project is in harmony with the overall intent of the County's Policy Plan goals and policies as well as other planning documents applicable to the Project. It is within the County's purview to decide if the Project is consistent or inconsistent with applicable County goals or policies. The Project's consistency with these applicable goals and policies is described below in **Table 4.11-3: Consistency with the SCAG 2020-2045 RTP/SCS** and **Table 4.11-4, Consistency with the Countywide Policy Plan**.

SCAG 2020 – 2045 RTP/SCS

The Project's compliance with the 2020-2045 RTP/SCS would promote the sustainable and beneficial growth of the region. **Table 4.11-3: Consistency with the SCAG 2020-2045 RTP/SCS** summarizes the Project's compliance with relevant goals and policies of the RTP/SCS.

Table 4.11-3: Consistency with SCAG 2020-2045 RTP/SCS

Goal	Consistency
Encourage regional economic prosperity and global competitiveness	Consistent: The Project would involve the development of high-cube logistics, e-commerce, ancillary commercial facilities, and parking field and drop lot areas which would increase the County’s ability to process and distribute goods. This increased goods processing capacity would improve trade both in the County and, potentially, the region.
Improve mobility, accessibility, reliability, and travel safety for people and goods	Consistent: The Project would include street improvements within the Project site including the creation of new roadways connecting existing streets. This would increase accessibility within the Project site and provide for alternative routes of travel to reduce traffic on the existing roadways. Finally, the Project would increase travel choices through the addition of both vehicular, biking, and pedestrian circulation systems within the Project site.
Enhance the preservation, security, and resilience of the regional transportation system	Consistent: The Project would not include the modification of existing roadways in a manner which would reduce their ability to remain a viable route of transportation. Roadway improvements proposed by the Project have been designed to improve roadway efficiency and emergency access to the Project site. The provision of additional transportation routes would increase transportation efficiency within the County.
Increase person and goods movement and travel choices within the transportation system	Consistent: With a focus on e-commerce, high-cube logistics, and parking field and drop lot uses, the Project would improve the County’s goods movement capacity. Improvements to the surrounding roadways would also increase the efficiency of goods transport. Finally, the Project would increase travel choices through the addition of both vehicular, pedestrian, and biking circulation systems within the Project site.
Reduce greenhouse gas emissions and improve air quality	Consistent: The Project includes the improvement of both internal and external roadway networks to reduce idling times and travel distances which would otherwise contribute to greater GHG emissions. Impacts regarding GHG emissions were found to be significant and unavoidable over the life of the Project despite the mitigation incorporated (see Section 4.8: Greenhouse Gas Emissions). The Project would not result in more severe GHG emissions impacts beyond the significant unavoidable impacts that were already disclosed and analyzed within the Countywide Plan EIR. Although air quality impacts were determined to be significant and unavoidable during both the construction and operation of the Project, mitigation, Project Design Features, and Standard Conditions, are proposed in order to reduce the severity of the impacts (see Section 4.3: Air Quality), and the Project would not result in more severe air quality impacts beyond the significant unavoidable impacts that were already disclosed and analyzed within the Countywide Plan EIR. Although the Project would contribute to GHG emissions, the Project is consistent

Goal	Consistency
	with the County's Greenhouse Gas Reduction Plan Update ⁵ , which includes the County GHG reduction measures and actions that are committed to increasing sustainability awareness and resilience by making resource-efficient choices to conserve water, energy, and materials, and improve air quality. Development of the Project site would be consistent with current building codes, state and federal requirements including Green Building Standards. This includes EV charging spaces, energy-efficient buildings, and use of construction and grading equipment that complies with current AQ standards, etc. See Section 4.3: Air Quality , Section 4.8: Greenhouse Gas Emissions , and Section 4.17: Transportation .
Support healthy and equitable communities	Consistent: The Project would be developed in an area which currently allows for commercial uses. Creation of the Specific Plan would include allowances for the planned high-cube logistics, e-commerce, and ancillary commercial facilities in appropriate locations which would continue to align with the plans for the area. The development of the Project would not only increase employment for the County and its residents', but it would also introduce quality of life improvements for the community as well. These planned improvements include a 10-foot-wide multi-purpose trail, with exercise pop-outs along the trail to promote exercise and healthy lifestyle, along Street "A", connecting Cherry Avenue in the City of Fontana, to Napa Street in the City of Rancho Cucamonga, and roadway improvements to reduce traffic hazards.
Adapt to a changing climate and support an integrated regional development pattern and transportation network	Consistent: The Project would include roadway improvements which are designed to reduce traffic levels and improve roadway accessibility. The reduction of idling time in traffic would help contribute to the regional reduction of vehicular emissions. In addition, the Project proposes non-motorized transportation improvements in the form of a multi-purpose trail along Street "A" which would encourage alternative forms of transportation such as bicycling and walking by providing an east/west connection from Cherry Avenue in the City of Fontana to Napa Street in the City of Rancho Cucamonga.
Leverage new transportation technologies and data-driven solutions that result in more efficient travel	Not applicable: The Project is not a transportation project. However, the Project would include roadway improvements that would result in more efficient travel. The Project would also provide conduit in one area of the Project site for a future Autonomous Truck Charging Station.
Encourage development of diverse housing types in areas that are supported by multiple transportation options	Not applicable: The Project does not propose housing developments.

⁵ County of San Bernardino. 2021. *Greenhouse Gas Reduction Plan Update*. http://www.sbcounty.gov/uploads/LUS/GreenhouseGas/GHG_2021/GHG%20Reduction%20Plan%20Update-Greenhouse%20Gas%20Reduction%20Plan%20Update%20-%20Adopted%2009-21-2021.pdf (accessed September 2021).

Goal	Consistency
Promote conservation of natural and agricultural lands and restoration of habitats.	Not applicable: The Project does not propose development on natural or agricultural lands.
Source: Southern California Association of Governments. 2020. Connect SoCal 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy. Page 9. Los Angeles, CA: Southern California Association of Governments. https://scag.ca.gov/sites/main/files/file-attachments/0903connectsocial-plan_0.pdf?1606001176 (accessed February 2022).	

Countywide Policy Plan

The Project would be required to advance the goals and policies presented by the general plan of the applicable jurisdiction. The general plan for the County is the Countywide Policy Plan, which contains the goals and policies which drive efficient and sustainable growth within the County. Policy Plan goals and policies which are applicable to the Project are listed in **Table 4.11-4, Consistency with the Countywide Policy Plan** as well as the Project’s consistency with the listed goals and policies.

Table 4.11-4 Consistency with the Countywide Policy Plan

Policy	Consistency
Land Use Element	
Goal LU-1: Fiscally Sustainable Growth	
Policy LU-1.1: Growth. We support growth and development that is fiscally sustainable for the County. We accommodate growth in the unincorporated county when it benefits existing communities, provides a regional housing option for rural lifestyles, or supports the regional economy.	Consistent. The Project would renovate an unincorporated area of the County in a manner which would preserve the commercial and tourism uses, while expanding high-cube logistics/e-commerce land uses, ancillary commercial uses, and, subsequently, supporting the regional economy.
Policy LU-1.2: Infill development. We prefer new development to take place on existing vacant and underutilized lots where public services and infrastructure are available.	Consistent. While the majority of the Project site is previously developed, the site would be redeveloped in a manner that both maintains the uses present currently, and new uses which would further expand the County’s economic base. Public services and infrastructure are available.
Policy LU-1.5: Development impact fees. We require payment of development impact fees to ensure that all new development pays its fair share of public infrastructure.	Consistent. The Project would comply with applicable policies regarding payment of development impact fees. These fees would be calculated and applied to public infrastructure improvements.
Goal LU-2: Land Use Mix and Compatibility	
Policy LU-2.1: Compatibility with existing uses. We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.	Consistent. The Project would involve the creation of a Specific Plan and a development plan. However, the high-cube logistics, e-commerce, and ancillary commercial uses proposed for the Project would be consistent with the surrounding land uses. The nearest residential development is approximately 410 feet east of the Project site. Also, while the Project does not propose residential uses, it has been designed to minimize any potential impacts to surrounding land uses, including residential structures.
Policy LU-2.4 Land Use Map consistency. We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a	Consistent. The Project would be a comprehensive LU Plan amendment, through a Specific Plan. The site is in the SD-COM zoning district and Commercial land use

Policy	Consistency
change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.	category. No change in Land Use Category is required for the Project. The intended uses of the Project site would remain consistent with the land uses of the surrounding area.
Policy LU-2.6: Coordination with adjacent entities. We require that new and amended development projects notify and coordinate with adjacent local, state, and federal entities to maximize land use compatibility, inform future planning and implementation, and realize mutually beneficial outcomes.	Consistent. Through the environmental review process, the Project has and will continue to include public noticing efforts which would involve coordination and communication with applicable public agencies. Additionally, an Environmental Justice Meeting was held on January 12, 2022 for members of the local community, with an additional meeting scheduled in summer 2022.
Policy LU-2.7: Countywide jobs-housing balance. We prioritize growth that furthers a countywide balance of jobs and housing to reduce vehicle miles traveled, increase job opportunities and household income, and improve quality of life. We also strive for growth that furthers a balance of jobs and housing in the North Desert region and the Valley region.	Consistent. See Section 4.14: Population and Housing. The Project would not generate employment opportunities which would necessitate increased housing development. The Project would, however, increase job opportunities with potential for increased income and quality of life for County residents.
Policy LU-2.10: Unincorporated commercial development. We intend that new commercial development in the unincorporated areas serve unincorporated residential areas, tourists, and/or freeway travelers. We encourage new commercial development to be concentrated to enhance pedestrian circulation and reduce vehicular congestion and vehicle miles traveled, with new development directed into existing centralized areas when possible.	Consistent. The Project site presently serves as a tourist attraction that is close to freeways (I-15 & I-10), and in close proximity to residential (located to the north, northeast, northwest, east). Among the neighboring warehouses and manufacturing businesses, the nearest residential development is approximately 410 feet east of the Project site. The Project site would also provide ancillary commercial development along Cherry Avenue. The Project is designed to enhance pedestrian and vehicular access and circulation, and it is located in a centralized area to reduce distances traveled from the Project site to distribution endpoints.
Policy LU-2.12: Office and industrial development in the Valley region. We encourage office and industrial uses in the unincorporated Valley region in order to promote a countywide jobs-housing balance.	Consistent. The Project would involve high-cube logistics, e-commerce, and ancillary commercial uses which would not alter the County's jobs-housing balance in a manner that would necessitate increased housing. See response to Policy LU-2.7.
Goal LU-3 Annexations and Sphere Development	
Policy LU-3.3 City/town standards in SOIs. Upon negotiation with individual jurisdictions, we may require new development in unincorporated municipal sphere of influence areas to apply the improvement standards for roads and sidewalks of the incorporated jurisdiction.	Consistent. The Project development would coordinate with the surrounding jurisdictions to ensure compatibility with roads and sidewalk standards.

<p>Goal LU-4 Community Design. Preservation and enhancement of unique community identities and their relationship with the natural environment.</p>	
<p>Policy LU-4.2 Fire-adapted communities. We require new development in high or very high fire hazard severity zones to apply fire-resistant design techniques, including fuel modification areas, fire resistant landscaping, and fire-resistant building materials.</p>	<p>Consistent. The Project is not within a high or very high fire hazard severity zone.</p>
<p>Policy LU-4.3 Native or drought-tolerant landscaping. We require new development, when outside of high and very high fire hazard severity zones, to install and maintain drought-tolerant landscaping and encourage the use of native species.</p>	<p>Consistent. Landscaping would be incorporated into portions of the Project site. This landscaping would include drought-tolerant native plants, ornamental trees, and ground cover to minimize erosion and loss of soil moisture.</p>
<p>Policy LU-4.7 Dark skies. We minimize light pollution and glare to preserve views of the night sky, particularly in the Mountain and Desert regions where dark skies are fundamentally connected to community identities and local economies. We also promote the preservation of dark skies to assist the military in testing, training, and operations.</p>	<p>Consistent. The Project is not located within the Mountain or Desert Region of the County. Project construction and operation would involve the use of shielded directional lights in order to minimize effects on neighboring receptors by preventing light spillage outside of the Project’s boundary. Construction would occur between 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays per § 83.01.0800 of the County’s Development Standards. The Project would be constructed in compliance with the requirements of the County’s Light Trespass Ordinance (Development Code Chapter 83.07: Light Trespass). Once operational, the Project would continue to use shielded lighting angled to eliminate light pollution outside Project boundaries, or public right of ways. Additionally, the structures developed for the Project would reduce light/glare effects associated with the bright lighting that would be put in place for the proposed NextGen short track races and events by forming a physical barrier around three sides of the short track.</p>
<p>Policy LU-4.10 Entry monumentation, signage, and public art. We encourage the installation of durable signage, entry monumentation, and/or works of public art in commercial areas of unincorporated Community Planning Areas as a means of reinforcing a community’s character, culture, heritage, or other unique features.</p>	<p>Consistent: The Project would incorporate distinct and strategically placed entry monumentation and signage, including a NASCAR-themed Art Walk. See Section 5: Design Guidelines of the SCCIISP for detailed information.</p>
<p>Goal LU-6: Amendments to the Policy Plan</p>	
<p>Policy LU-6.3 Commercial amendments. We will only approve Land Use Plan amendments that would introduce new commercial areas in the context of a comprehensive Land Use Plan amendment. We may waive this requirement when the proposed amended area abuts an existing or designated commercial area and the amount of land available for new commercial uses falls below 15 percent of the total commercially</p>	<p>Consistent. The Project would include the creation of a Specific Plan. The site is in an area classified for C/SD-COM which already allows for commercial uses.</p>

designated land in the area.	
Infrastructure and Utilities Element	
Goal IU-1 Water Supply. Water supply and infrastructure are sufficient for the needs of residents and businesses and resilient to drought.	
<p>Policy IU-1.1 Water supply. We require that new development be connected to a public water system or a County-approved well to ensure a clean and resilient supply of potable water, even during cases of prolonged drought.</p>	<p>Consistent: The Project, along with other industrial projects in the County, have been previously included in the projected water demands for the Fontana Water Company’s (FWC) 2020 Urban Water Management Plan and therefore would be adequately served by FWC’s water supply.</p>
<p>Policy IU-1.3 Recycled water. We promote the use of recycled water for landscaping, groundwater recharge, direct potable reuse, and other applicable uses in order to supplement groundwater supplies.</p>	<p>Consistent: There is an existing recycled waterline located in Napa Street, west of the Project area. The recycled waterline was installed by IEUA with service being provided by FWC. As an alternative to using potable water for irrigation uses, new recycled water facilities may be installed in the backbone streets (Streets “A,” “B,” “C,” and “D”), shown in SCCIISP Figure 3-17: Conceptual Recycled Water Plan to provide irrigation water for the Project area. The Master Developer is currently coordinating the use of recycled water with the IEUA and FWC.</p>
<p>Policy IU-1.8 Groundwater management coordination. We collaborate with watermasters, groundwater sustainability agencies, water purveyors, and other government agencies to ensure groundwater basins are being sustainably managed. We discourage new development when it would create or aggravate groundwater overdraft conditions, land subsidence, or other “undesirable results” as defined in the California Water Code. We require safe yields for groundwater sources covered by the Desert Groundwater Management Ordinance.</p>	<p>Consistent: The Project, along with other industrial projects in the County, have been previously included in the projected water demands for the Fontana Water Company’s (FWC) 2020 Urban Water Management Plan and therefore would be adequately served by FWC’s water supply. This would include sustainable usage of the FWC region’s groundwater resources.</p>
Goal IU-3 Stormwater Drainage. A regional stormwater drainage backbone and local stormwater facilities in unincorporated areas that reduce the risk of flooding.	
<p>Policy IU-3.1 Regional flood control. We maintain a regional flood control system and regularly evaluate the need for and implement upgrades based on changing land coverage and hydrologic conditions in order to manage and reduce flood risk. We require any public and private projects proposed anywhere in the county to address and mitigate any adverse impacts on the carrying capacity and stormwater velocity of regional stormwater drainage systems.</p>	<p>Consistent: Based on the analysis performed for the Project and the Project’s Drainage Study, it can be safely concluded that the proposed drainage improvements would adequately convey flows to the existing San Sevaine channel and provide flood protection for the 100-year storm event. The Project would not aggravate existing flooding conditions or generate new flood hazards to upstream or downstream properties.</p>
<p>Policy IU-3.2 Local flood control. We require new development to install and maintain stormwater management facilities that maintain predevelopment hydrology and hydraulic conditions.</p>	<p>Consistent: Per the Project’s Drainage Study, on-site flows would be collected by a system of underground chambers and a storm drain network. All flows are eventually conveyed to the existing basin located at the southwest corner of the Project site and thereon from the existing basin to the existing San Sevaine channel. Any</p>

	runoff that may occur would not exceed the system's capacity as existing downstream and upstream facilities have adequate capacity.
Policy IU-3.5 Fair share requirements. We require new development to pay its fair share of capital costs to maintain adequate capacity of the County's regional flood control systems.	Consistent: The Project would remain consistent with all applicable policies, including payment of Development Impact Fees for storm drains.
Goal IU-4 Solid Waste. Adequate regional landfill capacity that provides for the safe disposal of solid waste, and efficient waste diversion and collection for unincorporated areas.	Consistent: Adequate landfill capacity is available to serve the Project. The Project's waste generation would only be 0.45 percent of the Mid Valley daily throughput, 1.7 percent of the San Timoteo daily throughput, and only 0.36 percent of the combined daily throughput of both landfills.
Policy IU-4.4 Landfill funding. We require sufficient fees for use of County landfills to cover capital costs; ongoing operation, maintenance, and closure costs of existing landfills; the costs and liabilities associated with closed landfills.	Consistent: The Project would be required to pay all required development fees and to be consistent with all applicable policies and regulations, including required waste disposal fees.
Transportation and Mobility Element	
Goal TM-1 Roadway Capacity. Unincorporated areas served by roads with capacity that is adequate for residents, businesses, tourists, and emergency services.	
Policy TM-1.1 Roadway level of service (LOS). We require our roadways to be built to achieve the following minimum level of service standards during peak commute periods (typically 7:00-9:00 AM and 4:00-6:00 PM on a weekday): <ul style="list-style-type: none"> • LOS D in the Valley Region • LOS C in the Mountain Region • LOS C in the North and East Desert Regions 	Consistent: The Project is located in the Valley Region. Roadway improvements proposed for the Project would reduce potential traffic impacts to less than significant levels. However, LOS is no longer required to be evaluated under CEQA. (CEQA Guidelines § 15064.3). However, a supplemental Traffic Study was conducted for the Project, which evaluated LOS impacts (see Appendix L) to address compliance with Policy TM-1.1. The Traffic Study details the study intersections and the levels of service under various scenarios and provides recommended improvements the Project could implement to obtain acceptable LOS. The Traffic Study concludes by stating that "Recommended improvements may include a combination of fee payments to established programs, construction of specific improvements, payment of a fair-share contribution toward future improvements, or a combination of these approaches." Through implementation of measures selected by the County, LOS will not be negatively affected by the Project.
Policy TM-1.4 Unpaved roadways. The County does not accept new unpaved roads into the County Maintained Road System, and we require all-weather treatment for all new unpaved roads.	Consistent: The Project would not include the development of unpaved roads.
Policy TM-1.6 Paved roads. For any new development for which paved roads are required, we require the developer to construct the roads and we	Consistent: Roadway development would be the responsibility of the developer. Maintenance of the Project's public roadways would be the responsibility of

require the establishment of a special funding and financing mechanism to pay for roadway operation, maintenance, and set-aside reserves.	the County of San Bernardino and Special Districts.
Policy TM-1.7 Fair share contributions. We require new development to pay its fair share contribution toward off-site transportation improvements.	Consistent: The Project would strive to comply with all applicable policies, including those for fair share payments.
<i>Goal TM-2 Road Design Standards. Roads designed and built to standards in the unincorporated areas that reflect the rural, suburban, and urban context as well as the regional (valley, mountain, and desert) context.</i>	
Policy TM-2.2 Roadway improvements. We require roadway improvements that reinforce the character of the area, such as curbs and gutters, sidewalks, landscaping, street lighting, and pedestrian and bicycle facilities. We require fewer improvements in rural areas and more improvements in urbanized areas, consistent with the Development Code. Additional standards may be required in municipal spheres of influence.	Consistent: The Project includes internal and external roadway improvements that are designed in compliance with County Development Code standards such as the provision of lighted sidewalks and additional designated turn lanes to enhance the roadway efficiency of the area.
Policy TM-2.3 Concurrent improvements. We require new development to mitigate project transportation impacts no later than prior to occupancy of the development to ensure transportation improvements are delivered concurrent with future development.	Consistent: Compliance with mitigation required for transportation impacts would be in effect prior to issuance of certificate of occupancy.
Policy TM-2.6 Access control. We promote shared/central access points for direct access to roads in unincorporated areas to minimize vehicle conflict points and improve safety, especially access points for commercial uses on adjacent properties.	Consistent: Direct accessways and routes are incorporated in the Project design.
<i>Goal TM-3 Vehicle Miles Traveled. A pattern of development and transportation system that minimizes vehicle miles traveled.</i>	
Policy TM-3.1 VMT Reduction. We promote new development that will reduce household and employment VMT relative to existing conditions.	Consistent: The Project-generated VMT is less than the baseline VMT for the unincorporated County and, therefore, the Project's VMT does not exceed the unincorporated County's threshold.
Policy TM-3.2 Trip reduction strategies. We support the implementation of transportation demand management techniques, mixed-use strategies, and the placement of development in proximity to job and activity centers to reduce the number and length of vehicular trips.	Consistent: The Project would be sited near a popular activity center existing within the County. The Project would also employ traffic demand management (TDM) strategies including increased transit accessibility, pedestrian network improvements and voluntary commuter trip reduction (CTR) programs.
<i>Goal TM-4 Complete Streets, Transit, and Active Transportation. On- and off-street improvements that provide functional alternatives to private car usage and promote active transportation in mobility focus areas.</i>	
Policy TM-4.5 Transit access to job centers and tourist destinations. We support and work with local transit agencies to generate public transportation systems that provide access to job centers and reduce congestion in tourist destinations in unincorporated areas.	Consistent: The Project has been and would continue to coordinate with Omnitrans to increase bus service into the Project site through the placement of bus stops.

<p>Policy TM-4.7 Regional bicycle network. We work with SBCTA and other local agencies to develop and maintain a regional backbone bicycle network.</p>	<p>Consistent: The Project would be consistent with policies TM-4.7, TM-4.8, and TM-4.9 by including a 10-foot-wide multi-purpose trail along Street “A” (see Figure 4.16-1: Recreational Facilities). Street “A” is a proposed east-west trending public street and would connect Cherry Avenue on the Project area’s eastern edge with existing Napa Street on the west. It would form an intersection with Rancho Vista Drive to the east of Cherry Avenue to provide safe bicycle and pedestrian access.</p>
<p>Policy TM-4.8 Local bicycle and pedestrian networks. We support local bike and pedestrian facilities that serve unincorporated areas, connect to facilities in adjacent incorporated areas, and connect to regional trails. We prioritize bicycle and pedestrian network improvements that provide safe and continuous pedestrian and bicycle access to mobility focus areas, schools, parks, and major transit stops.</p>	
<p>Policy TM-4.9 Bike and pedestrian safety. We promote pedestrian and bicyclist safety by providing separated pedestrian and bike crossings when we construct or improve bridges over highways, freeways, rail facilities, and flood control areas. We monitor pedestrian and bicycle traffic accidents and promote safety improvements in unincorporated high-accident areas.</p>	
<p>Policy TM-4.10 Shared parking. We support the use of shared parking facilities that provide safe and convenient pedestrian connectivity between adjacent uses.</p>	<p>Consistent: The Project would provide parking facilities shared between the various project uses (i.e., high-cube logistics, e-commerce, commercial, and motorsports facility parking). Sidewalks and the proposed multipurpose trail would ensure safe pedestrian/bicycle connectivity would be provided between the various planning areas.</p>
<p>Policy TM-4.11 Parking areas. We require publicly accessible parking areas to ensure that pedestrians and bicyclists can safely access the site and on-site businesses from the public right-of-way.</p>	
<p>Goal TM-5: Good Movement</p>	
<p>Policy TM-5.1 Efficient and sustainable goods movement network. We advocate for the maintenance of a goods movement system in southern California that is efficient and sustainable and that prioritizes public health through the use of zero-emission equipment and infrastructure.</p>	<p>Consistent: The Project and future tenants/facility operators are encouraged to maintain equipment, vehicle fleets, and infrastructure that meets the minimum zero-emissions requirements.</p>
<p>Policy TM-5.6 Unincorporated truck routes. We establish local truck routes in unincorporated areas to efficiently funnel truck traffic to freeways while minimizing impacts on residents. We establish routes where trucks are prohibited in unincorporated environmental justice focus areas and to avoid overlaps or conflicts with safe routes to schools.</p>	<p>Consistent: The Project site is located within the County’s Environmental Justice Focus Area (EJFA) (per SB 1000). The traffic study evaluated all truck routes to reduce impacts associated with Project impacts within the EJFA area. The Project will comply with all County policies regarding Environmental Justice.</p>
<p>Policy TM-5.7 Trucking-intensive businesses. We require trucking-intensive businesses to pay their fair share of costs to build and maintain adequate roads.</p>	<p>Consistent. See The Project would comply with applicable policies regarding payment of development impact fees. These fees would be calculated and applied to public infrastructure improvements.</p>
<p>Natural Resources Element</p>	
<p>Goal NR-1: Air Quality</p>	
<p>Policy NR-1.1 Land use. We promote compact and transit-oriented development countywide and</p>	<p>Consistent: The Project-generated VMT is less than the baseline VMT for the unincorporated County and,</p>

<p>regulate the types and locations of development in unincorporated areas to minimize vehicle miles traveled and greenhouse gas emissions.</p>	<p>therefore, the Project’s VMT does not exceed the unincorporated County’s threshold.</p>
<p>Policy NR-1.2: Indoor air quality. We promote the improvement of indoor air quality through the California Building and Energy Codes and through the provision of public health programs and services.</p>	<p>Consistent: To ensure compliance with California Building and Energy Codes, standard conditions and mitigation measures are proposed which would require compliance with policies such as the California Green Building Standards Code Part 11 and SCAQMD Rule 1113 for all architectural coatings.</p>
<p>Policy NR-1.3: Coordination on air pollution. We collaborate with air quality management districts and other local agencies to monitor and reduce major pollutants affecting the county at the emission source.</p>	<p>Consistent: Project development would require coordination with the state and regional air districts to address and minimize air pollutants (CARB and SCAQMD).</p>
<p>Policy NR-1.6: Fugitive dust emissions. We coordinate with air quality management districts on requirements for dust control plans, revegetation, and soil compaction to prevent fugitive dust emissions.</p>	<p>Consistent: The Project includes dust control measures which would be coordinated with both the County and SCAQMD during construction activities.</p>
<p>Policy NR-1.8: Construction and operations. We invest in County facilities and fleet vehicles to improve energy efficiency and reduce emissions. We encourage County contractors and other builders and developers to use low-emission construction vehicles and equipment to improve air quality and reduce emissions.</p>	<p>Consistent: The Project involves high-cube logistics, e-commerce, and ancillary commercial uses which would involve the use of fleet vehicles. In addition, the vehicles used by future tenants/facility operators would be required to comply with energy rating policies in accordance with applicable law such as South Coast Air Quality Management District’s Warehouse Indirect Source Rule, as well as the Project Design Features and mitigation measures related to vehicles and equipment, discussed in Section 4.3: Air Quality.</p>
<p>Policy NR-1.9: Building design and upgrades. We use the CALGreen Code to meet energy efficiency standards for new buildings and encourage the upgrading of existing buildings to incorporate design elements, building materials, and fixtures that improve environmental sustainability and reduce emissions.</p>	<p>Consistent: To ensure compliance with California Building and Energy Codes, standard conditions and mitigation measures are proposed which would require compliance with policies such as the California Green Building Standards Code Part 11 and SCAQMD Rule 1113 for all architectural coatings.</p>
<p>Goal NR-2 Water Quality. Clean and safe water for human consumption and the natural environment.</p>	
<p>Policy NR-2.2 Water management plans. We support the development, update, and implementation of ground and surface water quality management plans emphasizing the protection of water quality from point and non-point source pollution.</p>	<p>Consistent: To ensure compliance with the San Bernardino County Stormwater Program Technical Guidance Document, the Project would include the preparation and implementation of a Water Quality Management Plan (WQMP) to manage stormwater runoff during construction activity and include site design and source control BMPs to help ensure stormwater runoff and impervious areas are minimized and natural areas are conserved.</p>
<p>Policy NR-2.4 Wastewater discharge. We apply federal and state water quality standards for wastewater discharge requirements in the review of</p>	<p>Consistent: To ensure compliance with the San Bernardino County Stormwater Program Technical Guidance Document, the Project would include the</p>

<p>development proposals that relate to type, location, and size of the proposed project in order to safeguard public health and shared water resources.</p>	<p>preparation and implementation of a WQMP to manage stormwater runoff during construction activity and include site design and source control BMPs to help ensure stormwater runoff and impervious areas are minimized and natural areas are conserved. Additionally, the Project includes construction controls to minimize potential water quality impacts which would be implemented through compliance with NPDES permit requirements and with County Code Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination System Regulations.</p>
<p>Policy NR-2.5 Stormwater discharge. We ensure compliance with the County’s Municipal Stormwater NPDES (National Pollutant Discharge Elimination System) Permit by requiring new development and significant redevelopment to protect the quality of water and drainage systems through site design, source controls, stormwater treatment, runoff reduction measures, best management practices, low impact development strategies, and technological advances. For existing development, we monitor businesses and coordinate with municipalities.</p>	<p>Consistent: The Project includes construction controls to minimize potential water quality impacts which would be implemented through compliance with NPDES permit requirements and with County Code Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination System Regulations.</p>
<p>Goal NR-5 Biological Resources. An interconnected landscape of open spaces and habitat areas that promotes biodiversity and healthy ecosystems, both for their intrinsic value and for the value placed on them by residents and visitors.</p>	
<p>Policy NR-5.7: Development review, entitlement, and mitigation. We comply with state and federal regulations regarding protected species of animals and vegetation through the development review, entitlement, and environmental clearance processes.</p>	<p>Consistent: The Project would undergo environmental review at the local and state level through approval with the local jurisdiction, compliance with State CEQA guidelines, and proper coordination and consistency with the policies of state agencies like the California Department of Fish and Wildlife.</p>
<p>Policy NR-5.8: Invasive species. We require the use of non-invasive plant species with new development and encourage the management of existing invasive plant species that degrade ecological function.</p>	<p>Consistent: Landscaping within the Project site would consist mainly of native, ornamental plants, trees, and shrubs with groundcover to ensure efficient water use.</p>
<p>Goal NR 6 Mineral resource zones that allow extraction industries to continue supporting the regional and national economy while minimizing negative impacts on the public and natural environment.</p>	
<p>Policy NR-6.1 We prioritize the conservation of land area with mineral resources by prohibiting or discouraging development of land that would substantially preclude the future development of mining facilities in areas classified as MRZ 2a, 2b, or 3a.</p>	<p>Consistent: The Project site is not designated as land that contains mineral resources of significance, and any proposed mineral resource extraction would require a Conditional Use Permit from the County. Additionally, the Project site has previously been redeveloped for land uses that do not contain mineral extraction.</p>
<p style="text-align: center;">Renewable Energy and Conservation Element</p>	
<p>Goal RE-1 The County will pursue energy efficiency tools and conservation practices that optimize the benefits of renewable energy.</p>	
<p>Policy RE-1.1 GHG Reduction Plan. Continue implementing the energy conservation and efficiency</p>	<p>Consistent: Energy conservation measures from local and state policies would be applied to the Project, including</p>

<p>measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.</p>	<p>California Green Building Standards (CALGreen). Additionally, the Project is consistent with the County's Greenhouse Gas Reduction Plan Update⁶, which includes the County GHG reduction measures and actions that are committed to increasing sustainability awareness and resilience by making resource-efficient choices to conserve water, energy, and materials, and improve air quality.</p>
<p>Policy RE-1.2 Optimized efficiency. Optimize energy efficiency in the built environment.</p>	<p>Consistent: Energy conservation measures from local and state policies would be applied to the Project, including CALGreen.</p>
<p>Policy RE-1.4 Energy conservation. Encourage residents and businesses to conserve energy.</p>	<p>Consistent: Energy conservation measures from local and state policies would be applied to the Project, including CALGreen.</p>
<p><i>Goal RE-2 The County will be home to diverse and innovative renewable energy systems that provide reliable and affordable energy to our unique Valley, Mountain, and Desert regions.</i></p>	
<p>Policy RE-2.1 Types of renewable energy systems. Support solar energy generation, solar water heating, wind energy and bioenergy systems that are consistent with the orientation, siting, and environmental compatibility policies of the General Plan.</p>	<p>Consistent: The Project would comply with PDF AQ-18 and SCAQ-4 which encourage the use of solar panels and photovoltaic energy.</p>
<p style="text-align: center;">Cultural Resources Element</p>	
<p><i>Goal CR-1 Cultural Resources. Tribal cultural resources that are preserved and celebrated out of respect for Native American beliefs and traditions.</i></p>	
<p>Policy CR-1.1 Tribal notification and coordination. We notify and coordinate with tribal representatives in accordance with state and federal laws to strengthen our working relationship with area tribes, avoid inadvertent discoveries of Native American archaeological sites and burials, assist with the treatment, and disposition of inadvertent discoveries, and explore options of avoidance of cultural resources early in the planning process.</p>	<p>Consistent: The County is responsible for compliance with SB 18 and AB 52. Outreach letters were sent to each of the Native American contacts on September 7, 2021 with follow up conducted on September 28, 2021. The County is engaged in ongoing consultation with the tribe(s).</p>
<p>Policy CR-1.2 Tribal planning. We will collaborate with local tribes on countywide planning efforts and, as permitted or required, planning efforts initiated by local tribes.</p>	<p>Consistent: Outreach letters were sent to Native American contacts on September 7, 2021 with follow up conducted on September 28, 2021.</p>
<p>Policy CR-1.3 Mitigation and avoidance. We consult with local tribes to establish appropriate project-specific mitigation measures and resource-specific treatment of potential cultural resources. We require project applicants to design projects to avoid known tribal cultural resources, whenever possible. If avoidance is not possible, we require appropriate mitigation to minimize project impacts on tribal</p>	<p>Consistent: The County has contacted local native American tribes to ensure that proper coordination and identification of tribal cultural resources are practiced. In addition, the area was not observed as currently containing tribal resources.</p>

⁶ County of San Bernardino. 2021. *Greenhouse Gas Reduction Plan Update*. http://www.sbcounty.gov/uploads/LUS/GreenhouseGas/GHG_2021/GHG%20Reduction%20Plan%20Update-Greenhouse%20Gas%20Reduction%20Plan%20Update%20-%20Adopted%2009-21-2021.pdf (accessed February 2022).

cultural resources.	
<p>Policy CR-1.4 Resource monitoring. We encourage active participation by local tribes as monitors in surveys, testing, excavation, and grading phases of development projects with potential impacts on tribal resources.</p>	<p>Consistent: The Tribes participation is encouraged. Outreach letters were sent to each of the Native American contacts on September 7, 2021 with follow up conducted on September 28, 2021. The County is engaged in ongoing consultation with the tribe(s).</p>
<p>Goal CR-2 Historic and Paleontological Prehistoric Resources. Historic resources (buildings, structures, or archaeological resources) and paleontological resources that are protected and preserved for their cultural importance to local communities as well as their research and educational potential.</p>	
<p>Policy CR-2.3 Paleontological and archaeological resources. We strive to protect paleontological and archaeological resources from loss or destruction by requiring that new development include appropriate mitigation to preserve the quality and integrity of these resources. We require new development to avoid paleontological and archeological resources whenever possible. If avoidance is not possible, we require the salvage and preservation of paleontological and archeological resources.</p>	<p>Consistent: The Cultural Resource Assessment prepared for the Project identified no archaeological or historical built environment resources within the Project site. In addition, no paleontological resources or unique geologic formations were identified on the Project site during the paleontological field survey conducted for the Project. The Native American Heritage Commission identified no cultural resources in the immediate vicinity of the Project.</p>
<p style="text-align: center;">Hazards Element</p>	
<p>Goal HZ-1 Natural Environmental Hazards. Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by natural environmental hazards and adaptation to potential changes in climate.</p>	
<p>Policy HZ 1.1 New subdivisions in environmental hazard areas. We require all lots and parcels created through new subdivisions to have sufficient buildable area outside of the following environmental hazard areas:</p> <ul style="list-style-type: none"> • Flood: 100-year flood zone, dam/basin inundation area • Geologic: Alquist Priolo earthquake fault zone; County-identified fault zone; rockfall/debris-flow hazard area, existing and County-identified landslide area 	<p>Consistent: The Project does not exist within any of the listed zones.</p>
<p>Policy HZ-1.2 New development in environmental hazard areas. We require all new development to be located outside of the environmental hazard areas listed below. For any lot or parcel that does not have sufficient buildable area outside of such hazard areas, we require adequate mitigation, including designs that allow occupants to shelter in place and to have sufficient time to evacuate during times of extreme weather and natural disasters.</p> <ul style="list-style-type: none"> • Flood: 100-year flood zone, dam/basin inundation area • Geologic: Alquist-Priolo earthquake fault zone; County-identified fault zone; rockfall/debris-flow hazard area, medium or high liquefaction area 	<p>Consistent: The Project does not exist within any of the listed zones.</p>

<p>(low to high and localized), existing and County-identified landslide area, moderate to high landslide susceptibility area)</p> <ul style="list-style-type: none"> • Fire: high or very high fire hazard severity zone 	
<p>Policy HZ-1.3 Floodplain mapping. We require any new lots or subdivisions partially in, and any new development partially or entirely in 100-year flood zones or 100-year flood awareness areas to provide detail floodplain mapping for 100- and 200-year storm events as part of the development approval process.</p>	<p>Consistent. The Project does not exist within the 100-year flood zone.</p>
<p>Policy HZ-1.4 500-year flood zone. We may collaborate with property owners in the Valley region to establish funding and financing mechanisms to mitigate flood hazards in identified 500-year flood zones.</p>	<p>Consistent: According to the FEMA FIRM, the Project site is within a flood hazard zone “X,” Floodplain review area 2 (FP2), where the annual flood risk is between one percent and 0.2 percent and includes areas between limits of the base flood (100-year flood) and subject to a 500-year flood.</p>
<p>Policy HZ-1.7 Underground utilities. We require that underground utilities be designed to withstand seismic forces, accommodate ground settlement, and hardened to fire risk.</p>	<p>Consistent: Underground facilities would be developed in accordance with applicable building codes. Furthermore, the geotechnical investigation prepared for this Project, indicates the Project site is not within an Alquist-Priolo fault zone and there was no evidence of faulting identified during the investigation.</p>
<p>Policy HZ-1.8 Wind erosion hazards. We require new development in medium-high or high wind erosion hazard areas to minimize the effects of wind-blown soil through building and site design features such as fencing, surface treatment or pavement, attenuation or wind barriers, architectural features, building materials, and drought resistant landscaping.</p>	<p>Consistent: Landscaping within the Project site would consist mainly of native, ornamental plants, trees, and shrubs with groundcover to ensure efficient water use.</p>
<p>Policy HZ-1.9 Policy HZ-1.9 Hazard areas maintained as open space. We minimize risk associated with flood, geologic, and fire hazard zones or areas by encouraging such areas to be preserved and maintained as open space.</p>	<p>Consistent: The Project does not exist within an area containing a Fire Safety Overlay and/or Very High Fire Hazard Severity Zone. In addition, the Project exists outside of identified flood and geological hazard zones.</p>
<p>Policy HZ-1.12 Local hazard mitigation plan implementation. We require adherence to the goals, objectives and actions in the Multi-jurisdictional Hazard Mitigation Plan and subsequent amendments to reduce and mitigate damages from hazards in the county.</p>	<p>Consistent: The Project would not conflict with the measures or actions presented in the County’s Multi-jurisdictional Hazard Mitigation Plan and does not significantly increase hazards in the County.</p>
<p>Policy HZ-1.14 Long-term fire hazard reduction. We require proactive vegetation management/hazard abatement to reduce fire hazards on existing private properties, along roadsides of evacuation routes out of wildfire prone areas, and other private/public land where applicable, and we require new development to enter into a long-term</p>	<p>Consistent: The Project does not exist within an area containing a Fire Safety Overlay and/or Very High Fire Hazard Severity Zone. In addition, the Project is not within a State Responsibility Area.</p>

<p>maintenance agreement for vegetation management in defensible space, fuel modification, and roadside fuel reduction in the Fire Safety Overlay and/or Very High Fire Hazard Severity Zones.</p>	
<p>Goal HZ-2 Human-Generated Hazards. People and the natural environment protected from exposure to hazardous materials, excessive noise, and other human-generated hazards.</p>	
<p>Policy HZ-2.3 Safer alternatives. We minimize the use of hazardous materials by choosing and by encouraging others to use non-toxic alternatives that do not pose a threat to the environment.</p>	<p>Consistent: The use, storage, transport, and disposal of hazardous materials would be governed by existing regulations of several agencies, including the U.S. EPA, U.S. Department of Transportation, California Division of Occupational Safety and Health, and the San Bernardino County Fire Protection District. Materials used on site could include industrial cleansers, greases, and oils for cleaning and maintenance along with paints, solvents, and fertilizers and pesticides for site landscaping.</p>
<p>Policy HZ-2.4 Truck routes for hazardous materials. We designate truck routes for the transportation of hazardous materials through unincorporated areas and prohibit routes that pass through residential neighborhoods to the maximum extent feasible.</p>	<p>Consistent: Although truck routes would have to cross incorporated areas of the County, roadway modifications associated with the Project would improve traffic patterns and address some existing environmental justice concerns in the area.</p>
<p>Policy HZ-2.7: Truck delivery areas. We encourage truck delivery areas to be located away from residential properties and require associated noise impacts to be mitigated.</p>	<p>Consistent: Truck delivery areas for the Project will be oriented away from residential properties. In addition, intervening warehouse buildings and retaining walls on the Project site would act as a buffer and reduce truck loading/unloading noise levels.</p>
<p>Policy HZ-2.9: Control sound at the source. We prioritize noise mitigation measures that control sound at the source before buffers, soundwalls, and other perimeter measures.</p>	<p>Consistent: Intervening warehouse buildings and retaining walls on the Project site would act as a buffer and reduce truck loading/unloading noise levels.</p>
<p>Goal HZ-3: Environmental Justice</p>	
<p>Policy HZ-3.1 Health risk assessment. We require projects processed by the County to provide a health risk assessment when a project could potentially increase the incremental cancer risk by 10 in 1 million or more in unincorporated environmental justice focus areas, and we require such assessments to evaluate impacts of truck traffic from the project to freeways. We establish appropriate mitigation prior to the approval of new construction, rehabilitation, or expansion permits.</p>	<p>Consistent. A Health Risk Assessment was prepared for the Project in February 2022 and determined _____ carcinogenic risks and other associated health risks would remain less than significant.</p>
<p>Policy HZ-3.16 Notification. We notify the public through the County website, mail, and other means when applications are accepted for conditional use permits, changes in zoning, and Policy Plan amendments in or adjacent to environmental justice focus areas. We prepare public notices in the predominant language(s) spoken in the communities containing environmental justice focus areas.</p>	<p>Consistent. As stated in Policy LU-2.6 above, the Project includes public noticing and review as a component of the environmental review process. This ensures members of the public as well as public agencies and private organizations have the opportunity to review and comment on the analysis. All project documents are also posted on the County’s website. A Notice of Preparation has been circulated to the public.</p>

Personal and Property Protection Element	
Goal PP-1: Effective crime prevention and law enforcement that leads to a real and perceived sense of public safety for residents, visitors, and businesses.	
Policy PP-1.1 Law enforcement services. The Sheriff's Department provides law enforcement services for unincorporated areas and distributes resources geographically while balancing levels of service and financial resources with continuously changing needs for personal and property protection.	Consistent. The Project would not increase fire service demands beyond the capability of the existing fire service infrastructure.
Goal PP-3: Fire and Emergency Medical. Reduced risk of death, injury, property damage, and economic loss due to fires and other natural disasters, accidents, and medical incidents through prompt and capable emergency response.	
Policy PP-3.6 Concurrent protection services. We require that fire department facilities, equipment, and staffing required to serve new development are operating prior to, or in conjunction with new development.	Consistent: The Project would not require the development of additional safety facilities.
Policy PP-3.9 Street and premise signage. We require adequate street signage and premise identification be provided and maintained to ensure emergency services can quickly and efficiently respond.	Consistent: Roadway improvements associated with Project development would include proper signage and signaling.
Goal PP-4: Emergency Preparedness and Recovery. A reduced risk of and impact from injury, loss of life, property damage, and economic and social disruption resulting from emergencies, natural disasters, and potential changes in climate.	
Policy PP-4.1 Emergency management plans. A reduced risk of and impact from injury, loss of life, property damage, and economic and social disruption resulting from emergencies, natural disasters, and potential changes in climate.	Consistent: The Project would be consistent with adopted emergency plans for the region.
Health and Wellness Element	
Goal HW-2: Education. A common culture that values education and lifelong learning and a populace with the education to participate and compete in the global economy.	
Policy HW-2.2 Land use compatibility for schools. We prioritize the safety and security of public schools in unincorporated areas by minimizing incompatible land uses near instructional facilities. We encourage school districts to place new schools where existing and planned land uses are compatible.	Consistent. The Project does not include the placement of new schools or development adjacent to schools.
Goal HW-3: Community Development. Assets that contribute to a complete county and healthy neighborhoods and communities.	
Policy HW-3.1 Healthy environments. We collaborate with other public agencies, not-for-profit organizations, community groups, and private developers to improve the physical and built environment in which people live. We do so by improving such things as walkability, bicycle infrastructure, transit facilities, universal design, safe routes to school, indoor and outdoor air quality, gardens, green space and open space, and access to	Consistent. The Project includes the development of proposed multipurpose trail would ensure safe pedestrian/bicycle connectivity would be provided between the various planning areas. Additionally, open space areas are proposed within the Project site.

parks and recreation amenities.	
<p>Policy HW-3.3 Public libraries. We operate public libraries in unincorporated areas and contract cities/towns to provide programs and facilities that ensure equitable access to information and digital technology, provide places and activities for people to connect with other people, promote literacy and reading for pleasure for children and adults, and foster a culture of creativity, innovation, and collaboration. We invest in the modernization and expansion of public library facilities as adequate funding is available.</p>	<p>Consistent. The Project does not include the expansion or creation of library facilities.</p>
<p>Source: San Bernardino County. 2020. San Bernardino County Countywide Plan Policy Plan. https://countywideplan.com/policy-plan/ (accessed February 2022)</p>	

As shown in **Table 4.11-4**, the Project would be generally consistent with the Countywide Policy Plan goals and policies. It should be noted that a Project need not satisfy all guidance contained in the General Plan and CEQA does not require a Project to be consistent with all guidance but instead requires a discussion of inconsistencies. The Project is generally consistent and in harmony with the Countywide Policy Plan, Land Use Category and is located in a developed area of the County. Additionally, consistent with the Countywide Policy Plan, the Project’s EIR includes mitigation measures related to specific environmental resource areas to reduce or eliminate potential effects of the Project. The County’s Development Code is not in and of itself intended to reduce impacts to the environment. The intent of the Development Code is to prescribe zones in which certain land uses are permitted, and to define allowable Project elements and designs within those zones. Nonetheless, conformance with the Development Code typically signifies that a Project would not result in environmental impacts beyond those which are already planned for or disclosed in an environmental document.

With approval and implementation of the proposed SCCIISP, the Project would not result in a change in, or conflict with a land use or zoning district that would result in potentially significant impacts. Therefore, impacts associated with any existing plan, policy, or regulation would be less than significant.

Mitigation Measures

No mitigation is required.

4.11.6 Cumulative Impacts

For purposes of land use and planning impact analysis, cumulative impacts are considered for cumulative development in the event that Project development would exacerbate or otherwise significantly influence other nearby projects. A list of cumulative projects is included in **Section 4.0.2: Cumulative Impact Analysis**. Those projects represent past, present, and potential future projects that could lead to cumulative impacts when combined with the proposed Project. The geographic context for the land use and planning cumulative impact analysis includes the jurisdiction of local and regional agencies including the County and SCAG. The Countywide Plan EIR found land use and planning impacts to be less than significant under buildout conditions; therefore, there is no existing cumulatively significant land use impact. Land use impacts would not be cumulatively considerable if the Project, in conjunction with other past, present, reasonably foreseeable future projects, would be designed or otherwise conditioned to

maintain consistency with adopted land use plans and ordinances or be amended with the appropriate mitigation and conditions of approval. Implementation of the Project would neither physically divide an established community nor inhibit future development within the County in accordance with the Countywide Plan goals and policies. Given the Project's consistency, as well as the requirement for other future projects to be generally consistent with the land use policy framework, overall cumulative land use consistency impacts would be less than significant.

4.11.7 Significant Unavoidable Impacts

No significant and unavoidable impacts concerning land use and planning have been identified.

4.11.8 References

County of San Bernardino. 2021. Housing Element Technical Report San Bernardino Countywide Plan. Page 2-70. Retrieved from:

http://www.sbcounty.gov/uploads/LUS/HousingPlans/HousingElement_CWP_TechReport_Draft_2021_Nov_HCD.pdf.

County of San Bernardino. 2020. *The Countywide Plan*. <http://countywideplan.com/>.

County of San Bernardino. 2008. *San Bernardino County Development Code Section 82.06.060. Table 82-19B*. Retrieved from: https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncity_ca/0-0-0-168074.

County of San Bernardino. 2008. *San Bernardino County Development Code Section 83.11.040. Table 83-15*. Retrieved from:

https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncity_ca/0-0-0-170214#JD_83.11.090.

County of San Bernardino. 2008. *San Bernardino County Development Code Section 83.10.060. Table 83-12*. Retrieved from: https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncity_ca/0-0-0-170039#JD_Chapter83.10.

San Bernardino County. 2020. *San Bernardino County Board of Supervisors Agenda Item: Countywide Plan, Community Action Guides and Related Actions*. Retrieved from: <https://sanbernardino.legistar.com/LegislationDetail.aspx?ID=4677224&GUID=2A0839A8-A84B-48FE-91B8-2CF04B5D4080#>.

San Bernardino County. 2020. Policy Map LU-1B Land Use Map Mountain Region. Retrieved from: https://countywideplan.com/wp-content/uploads/sites/68/2021/02/LU-1A-E_201027.pdf.

San Bernardino County. 2020. Countywide Policy Plan. Table LU-1: Land Use Categories. Page 9. Retrieved from: <http://countywideplan.com/policy-plan/>.

San Bernardino County. 2008. *San Bernardino County Land Use Zoning Districts Map FH28-A*. Retrieved from: http://cms.sbcounty.gov/Portals/5/Planning/ZoningOverlayMaps/LUZD/FH28A_20090814.pdf.

San Bernardino County. 2008. *San Bernardino County Land Use Zoning Districts Map FH29-A*. Retrieved from: http://cms.sbcounty.gov/Portals/5/Planning/ZoningOverlayMaps/LUZD/FH29A_20100422.pdf.

Southern California Association of Governments. 2020. *Connect SoCal 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Page 9. Los Angeles, CA: Southern California Association of Governments.

4.12 MINERAL RESOURCES

4.12.1 Introduction

This section of the EIR describes and addresses the environment and regulatory setting for mineral resources. It also evaluates the potentially significant impacts to mineral resources that could result from implementation of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project), and mitigation measures that would reduce or avoid these impacts, if applicable. Information used to prepare this section includes resources from:

- California Department of Conservation (DOC) California Geological Survey (CGS).
- County of San Bernardino (2020). *San Bernardino Countywide Plan*.
- County of San Bernardino (2019). *San Bernardino Countywide Plan Draft Environmental Impact Report*.

4.12.2 Environmental Setting

Mineral resources are naturally occurring substances that aid in urban construction. These substances include sand, gravel, and crushed stone that can be used as Portland-cement-concrete (PCC) aggregate, asphaltic-concrete aggregate, road base, railroad ballast, riprap, and fill.

Existing Conditions

The Project lies between the cities of Fontana and Rancho Cucamonga in unincorporated southwestern San Bernardino County. The Project encompasses approximately 433 acres of land within the existing 522-acre Auto Club Speedway (ACS) property. The Project site is comprised of 10 contiguous parcels (Assessor Parcel Numbers 0231-011-09, -10, -11, -12 and 0231-111-06, -10, -17, -18, -19, -20) bounded by Cherry Avenue to the east, an active freight and passenger rail line to the north, the West Valley Materials Recycling Facility to the west, and California Steel Industries to the south. The Project site is surrounded by railroad infrastructure immediately north of the Project site as well as truck/trailer storage warehousing, manufacturing, offices, and single-family residential units. Service garage, light industrial, and office land uses are present immediately south of the Project site. Warehousing, truck leasing, automotive dealers, and single-family residential units are located east of the Project site. Finally, warehousing, distribution, and logistics land uses as well as the San Sevaine Channel are located west of the Project site. Additional details are shown **Section 3.0, Project Description, Table 3-1: Land Uses**. Additionally, the Project area lies within the mapped boundary of the Kaiser Steel Mill, although no evidence of the former mill was identified.¹ Further, most of the Project site consists of gradual sloping to allow for sheet flow of stormwater into flow paths for conveyance into the local storm water network. The elevation of the Project site ranges from approximately 1,090 to 1,170 feet above mean sea level (amsl).²

¹ PaleoWest. 2021. *Cultural Resource Assessment for the Speedway Commerce Center II Specific Plan Project*, San Bernardino County, California.

² Kleinfelder. 2021. *Preliminary Report of Geotechnical Study*. Page 5.

Mineral Resource Zones

The Surface Mining and Reclamation Act (SMARA) of 1975 (California Public Resources Code [PRC] §§ 2710-2796) required the California State Mining and Geology Board to classify California mineral resources using the Mineral Resource Zones (MRZs) system. These zones have been established based on the presence or absence of significant sand and gravel deposits and crushed rock and stone sources (e.g., products used in the production of cement). The MRZ categories are defined as follows³:

- **MRZ-1:** Areas where available geologic information indicates there is little likelihood for the presence of significant mineral resources.
- **MRZ-2a:** Areas underlain by mineral deposits where geologic data indicate that significant measured or indicated resources are present. As shown on the California Mineral Land Classification Diagram, MRZ-2 is divided on the basis of both degree of knowledge and economic factors. Areas classified MRZ-2a contain discovered mineral deposits that are either measured or indicated reserves as determined by such evidence as drilling records, sample analysis, surface exposure, and mine information. Land included in the MRZ-2a category is of prime importance because it contains known economic mineral deposits.
- **MRZ-2b:** Areas underlain by mineral deposits where geologic information indicates that significant inferred resources are present. Areas classified MRZ-2b contain discovered mineral deposits that are either inferred reserves as determined by limited sample analysis, exposure, and past mining history or are deposits that presently are sub-economic. Further exploration work and/or changes in technology or economics could result in upgrading areas classified MRZ-2b to MRZ-2a.
- **MRZ-3a:** Areas containing known mineral occurrences of undetermined mineral resource significance. Further exploration work within these areas could result in the reclassification of specific localities into MRZ-2a or MRZ-2b categories. As shown on the California Mineral Land Classification Diagram, MRZ-3 is divided on the basis of knowledge of economic characteristics of the resources.
- **MRZ-3b:** Areas containing inferred mineral occurrences of undetermined mineral resource significance. Land classified MRZ-3b represents areas in geologic settings that appear to be favorable environments for the occurrence of specific mineral deposits. Further exploration work could result in the reclassification of all or part of these areas into the MRZ-3a category or specific localities into MRZ-2a or MRZ-2b categories.
- **MRZ-4:** Areas of no known mineral occurrences where geologic information does not rule out either the presence or absence of significant mineral resources.

³ California Department of Conservation. ND. *Guidelines for Classification and Designation of Mineral Lands*. <https://www.conservation.ca.gov/smgmb/Guidelines/Documents/ClassDesig.pdf> (accessed September 2021).

According to the California Department of Conservation⁴ and the San Bernardino County Policy Plan⁵, the Project site is designated MRZ-3, an area of general undetermined mineral resource significance. The Department of Conservation and San Bernardino Countywide Plan make no distinction as to whether the designation of the Project site is MRZ-3a or MRZ-3b.

4.12.3 Regulatory Setting

State

Surface Mining and Reclamation Act: California Public Resources Code Sections 2710 et seq.

SMARA is the primary regulatory framework for mining in the state. It delegates specific regulatory authority to local jurisdictions. The act requires the state geologist to identify in the California Geological Survey (CGS) important mineral deposits in the state threatened by land uses that would be incompatible with future extraction and classify them into MRZs. Local jurisdictions are required to enact specific procedures to guide mineral conservation and extraction at identified sites and to incorporate mineral resource management policies (MRMPs) into their general plans.

California Geological Survey

The CGS provides objective geologic expertise and information about California's diverse nonfuel mineral resources, including their related hazards, through maps, reports, and other data products to assist governmental agencies, mining companies, consultants, and the public in recognizing, developing, and protecting important mineral resources.

Local

The Countywide Plan

The County adopted the Countywide Policy Plan (Policy Plan) in October 2020. The Policy Plan provides an update of the County's General Plan addressing physical, social and economic issues facing the unincorporated portions of the County. A relevant goal and policy from the San Bernardino County Policy Plan includes:

Goal NR 6 **Mineral resource zones that allow extraction industries to continue supporting the regional and national economy while minimizing negative impacts on the public and natural environment.**

Policy NR-6.1 We prioritize the conservation of land area with mineral resources by prohibiting or discouraging development of land that would substantially preclude the future development of mining facilities in areas classified as MRZ 2a, 2b, or 3a.

⁴ California Department of Conservation, Division of Mines and Geology. 1995. *Mineral Land Classification of a Part of Southwestern San Bernardino County: The San Bernardino Valley Area, California (West) – Composite Map Showing MRZ's, and Mines, Prospects, and Active Aggregate Pits*. https://filerequest.conservacion.ca.gov/?q=ofr_94-08_west.pdf (accessed September 2021).

⁵ San Bernardino County. 2021. *NR-4 Mineral Resources Zones Policy Map*. <https://www.arcgis.com/apps/webappviewer/index.html?id=9948b9bc78f147fd9ea193c2ce758081> (accessed September 2021).

4.12.4 Impact Thresholds and Significance Criteria

CEQA Guidelines Appendix G, Environmental Checklist Form, includes questions pertaining to mineral resources. The issues presented in the Environmental Checklist Form have been utilized as thresholds of significance in this section. Accordingly, the Project would have a significant adverse environmental impact if it would:

- Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining whether the Project would have potentially significant impacts concerning mineral resources. In addition, this analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce any potentially significant environmental impact. Where applicable, feasible mitigation measures are recommended to avoid or reduce the Project's potentially significant environmental impacts.

Approach to Analysis

In determining whether Project implementation would result in impacts concerning mineral resources, this analysis considers the CEQA Guidelines, Appendix G thresholds, as described above. The evaluation was based on reviewing the regulations and determining their applicability for the proposed Project. Mineral resource information was acquired through consultation with City staff and review of relevant documents. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on review of Project maps and drawings, analysis of aerial and ground-level photographs, and review of various data available in public records, including the CGS and relevant local planning documents. The determination that the Project would or would not result in potentially "substantial" adverse effects on mineral resources considers the applicable policies and regulations established by local and regional agencies and the degree of deviation from these policies.

4.12.5 Impacts and Mitigation Measures

Impact 4.12-1 ***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?***

Level of Significance: No Impact

The Project site is located on lands designated as MRZ-3 by the County, which designates land that has areas containing known or inferred mineral deposits that may qualify as mineral resources.⁶ The Project site is not designated as land that contains known mineral resources of significance, and any proposed mineral resource extraction would require a Conditional Use Permit from the County. Additionally, the Project site has previously been developed and did not contain any known mineral resources or require extraction of any mineral resources. No part of the Project site is within a boundary that is owned or controlled by an aggregate producer or has previously been used for mineral extraction. As the Project site does not currently contain mineral extraction facilities, consists of previously disturbed land, and has not been designated as containing confirmed mineral resources of significance, the Project would not result in the loss of availability of known mineral resources which are of value to the region and the residents of the state. Furthermore, as stated previously, although the Project area lies within the mapped boundary of the Kaiser Steel Mill, no evidence of the former mill was identified.⁷ Therefore, the Project would not result in the loss of a known mineral resource that would be of value to the region and the state. As such, there would be no impacts due to Project implementation.

Mitigation Measures

No mitigation is required.

Impact 4.12-2 ***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?***

Level of Significance: No Impact

There are many mineral resource recovery sites within the County, of which there is one within the general vicinity of the Project site. The Kaiser Steel Mill is within a 0.5-mile of the Project area; however, it is no longer active and has been reclaimed.⁸ Therefore, no part of the Project site is within a boundary that is owned or controlled by an aggregate producer or is no longer used for mineral extraction. According to the County, the Project site is not designated as land that contains known mineral resources of significance.⁹ Additionally, the Project site has previously been redeveloped for land uses that do not contain known mineral resources or require extraction of any mineral resources. The Project site is currently developed for motorsports, entertainment, and auxiliary structures such as parking, event spaces, and ticket gates. Implementation of the Project would be consistent with the County's policy NR-6.1 for lands with mineral significance, which would ensure projects designate MRZ-2 and MRZ-3 areas for land uses compatible with future mining, such as open space, to the greatest extent feasible. Therefore, the Project would not result in the loss of availability of any locally important mineral resource recovery site. As such, there would be no impacts due to Project implementation.

⁶ San Bernardino County. 2019. Countywide Plan. Draft Environmental Impact Report, Section 5.11, Mineral Resources – Figure 5.11-1 Mineral Resource Zones 2&3 in the Southwest Quadrant of the County. https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-11-MIN.pdf (accessed September 2021).

⁷ PaleoWest. 2021. *Cultural Resource Assessment for the Speedway Commerce Center II Specific Plan Project*, San Bernardino County, California.

⁸ Ibid. Page 18.

⁹ San Bernardino County. 2019. Countywide Plan. Draft Environmental Impact Report, Section 5.11, Mineral Resources. Retrieved from: https://countywideplan.com/wp-content/uploads/sites/68/2021/01/Ch_05-11-MIN.pdf (accessed September 2021).

Mitigation Measures

No mitigation is required.

4.12.6 Cumulative Impacts

Section 4.0: Introduction to the Environmental Analysis, of this Draft EIR provides a list of cumulative projects that would have the potential to be considered in a cumulative context with the Project's incremental contribution. However, as the Project does not contain any mineral resources and would not have any impact due to the removal or loss of availability of these resources, the Project would not contribute to any cumulative impact on mineral resources, compared to the Countywide General Plan EIR, which resulted in significant impact without mitigation. As such, there would be no cumulative impacts as a result of Project implementation.

4.12.7 Significant Unavoidable Impacts

No significant and unavoidable impacts regarding mineral resources have been identified.

4.12.8 References

California Department of Conservation, Division of Mines and Geology. 1995. *Mineral Land Classification of a Part of Southwestern San Bernardino County: The San Bernardino Valley Area, California*. Available at https://filerequest.conservation.ca.gov/?q=OFR_94-08_Text.pdf.

California Department of Conservation, Division of Mines and Geology. 1995. *Mineral Land Classification of a Part of Southwestern San Bernardino County: The San Bernardino Valley Area, California (West) – Composite Map Showing MRZ's, and Mines, Prospects, and Active Aggregate Pits*. Available at https://filerequest.conservation.ca.gov/?q=ofr_94-08_west.pdf.

San Bernardino County. 2021. *NR-4 Mineral Resources Zones Policy Map*. Available at <https://www.arcgis.com/apps/webappviewer/index.html?id=9948b9bc78f147fd9ea193c2ce758081>.

4.13 NOISE

4.13.1 Introduction

This section of the EIR identifies and analyzes the Speedway Commerce Center II Specific Plan (SCCIISP) Project's (Project) potential construction and operational noise and vibration effects on the surrounding area. Specifically, the analysis describes the existing noise environment near the Project site; the regulatory framework that guided this analysis pursuant to federal, state, and regional regulations; forecasts of future noise and vibration levels at surrounding land uses; and the potential for significant noise impacts. Information for this analysis was derived from the following:

- Kimley-Horn and Associates, Inc. (2022). *Acoustical Assessment* (located in EIR **Appendix K**).
- Kimley-Horn and Associates, Inc. (2022). *Traffic Study for the Proposed Speedway Commerce Center II Specific Plan Project in the County of San Bernardino* (located in EIR **Appendix L**).
- County of San Bernardino (2020). *San Bernardino Countywide Plan*.
- County of San Bernardino (2019). *San Bernardino Countywide Plan Draft Environmental Impact Report*.

4.13.2 Environmental Setting

Existing Noise Sources

The Project site is impacted by various noise sources. Mobile sources of noise, especially cars, trucks, and trains, are the most common and significant sources of noise. Other noise sources are the various land uses (i.e., residential, commercial, and industrial) throughout the Project area that generate stationary-source noise.

Roadways that contribute a notable amount of noise to the ambient environment within the Project vicinity include Interstate (I)-15, Valley Boulevard, Cherry Avenue, Etiwanda Avenue, and San Bernardino Avenue. Additionally, the I-10 freeway is approximately 1.2 miles south of the Project site and its traffic noise can contribute to the ambient noise level surrounding the Project site.

There are several rail lines that run near or through the County and adjacent to the Project site. An active freight and passenger rail line lies just north along the northern boundary of the Project. This rail line serves both Burlington Northern Santa Fe (BNSF) freight trains and the San Bernardino Metrolink service into Los Angeles.

Mobile Sources

Existing roadway noise levels were calculated for the roadway segments in the Project vicinity. This task was accomplished using the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA-RD-77-108) and existing traffic volumes from the Project's Transportation Impact Study (**Appendix L**). The noise prediction model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The average vehicle noise rates (also referred to as energy rates) used in the FHWA model have been modified to

reflect average vehicle noise rates identified for California by the California Department of Transportation (Caltrans). The Caltrans data indicates that California automobile noise is 0.8 to 1.0 dBA higher than national levels and that medium and heavy truck noise is 0.3 to 3.0 dBA lower than national levels. The average daily noise levels along roadway segments in proximity to the Project site are included in **Table 4.13-1: Existing Traffic Noise Levels**.

Table 4.13-1: Existing Traffic Noise Levels

Roadway	Segment	ADT	dBA CNEL 100 Feet from Roadway Centerline
Highland Avenue	West of Beech Avenue	7,100	61.7
	Beech Avenue to Citrus Avenue	10,050	63.1
	Citrus Avenue to Sierra Avenue	14,370	64.8
Baseline Avenue	Etiwanda Avenue to I-15 SB Ramps	20,200	67.4
	I-15 SB Ramps to I-15 NB Ramps	23,960	68.9
	I-15 NB Ramps to Cherry Avenue	23,530	67.2
	Cherry Avenue to Beech Avenue	24,070	67.2
	Beech Avenue to Citrus Avenue	18,380	66.1
	Citrus Avenue to Sierra Avenue	16,120	65.5
Foothill Boulevard	I-15 SB Ramps to I-15 NB Ramps	38,120	70.4
	I-15 NB Ramps to Etiwanda Avenue	28,360	69.1
	Etiwanda Avenue to Beech Avenue	21,620	67.8
	Cherry Avenue to Beech Avenue	21,440	67.8
	Beech Avenue to Citrus Avenue	22,540	66.7
	Citrus Avenue to Sierra Avenue	19,880	66.2
Arrow Route	Milliken Avenue to Etiwanda Avenue	19,980	67.3
	Etiwanda Avenue to Cherry Avenue	14,740	64.8
	Cherry Avenue to Beech Avenue	15,380	65.0
	Beech Avenue to Citrus Avenue	13,760	64.5
	Citrus Avenue to Sierra Avenue	13,950	62.2
Merrill Avenue	Cherry Avenue to Beech Avenue	6,610	60.1
	Beech Avenue to Citrus Avenue	7,730	60.8
	Citrus Avenue to Sierra Avenue	10,520	62.2
Randall Avenue	Cherry Avenue to Beech Avenue	5,680	59.5
	Beech Avenue to Citrus Avenue	4,260	58.2
	Citrus Avenue to Sierra Avenue	6,540	60.1
Fourth Street / San Bernardino Avenue	I-15 SB Ramps to I-15 NB Ramps	23,700	72.3
	I-15 NB Ramps to Etiwanda Avenue	15,160	69.2
	Etiwanda Avenue to Commerce Drive	10,580	68.4
	Commerce Drive to Cherry Avenue	16,810	70.5
	Cherry Avenue to Beech Avenue	11,030	66.0
	Beech Avenue to Citrus Avenue	8,630	64.9
	Citrus Avenue to Sierra Avenue	10,700	65.9
Valley Boulevard	Commerce Drive / I-10 Ramps to Cherry Avenue	19,260	70.9
	Cherry Avenue to Beech Avenue	17,240	70.4
Etiwanda Avenue	Baseline Avenue to Foothill Boulevard	10,290	66.6
	Foothill Boulevard to Arrow Route	13,920	68.7
	Arrow Route to San Bernardino Avenue / Fourth Street	15,770	70.0
	San Bernardino Avenue / Fourth Street to Valley Boulevard	17,010	69.7
	Valley Boulevard to I-10 WB Ramps	22,920	71.2
	I-10 WB Ramps to I-10 EB Ramps	23,800	71.2

Roadway	Segment	ADT	dBA CNEL 100 Feet from Roadway Centerline
Cherry Avenue	SR-210 WB Ramps to SR-210 EB Ramps	15,450	69.0
	SR-210 EB Ramps to Baseline Avenue	19,040	69.3
	Baseline Avenue to Foothill Boulevard	21,090	70.0
	Foothill Boulevard to Arrow Route	19,940	68.8
	Arrow Route to Whittram Avenue	21,800	69.2
	Whittram Avenue to Merrill Avenue	24,510	69.5
	Merrill Avenue to Randall Avenue	23,490	71.2
	Randall Avenue to San Bernardino Avenue	23,890	71.4
	San Bernardino Avenue to Valley Boulevard	20,230	70.5
	Valley Boulevard to I-10 WB Ramps	30,560	72.7
	I-10 WB Ramps to I-10 EB Ramps	33,470	72.9
	I-10 EB Ramps to Slover Avenue	27,850	71.6
	South of Slover Avenue	18,610	69.4
Beech Avenue	Highland Avenue to Baseline Avenue	10,090	62.1
	Foothill Boulevard to Arrow Route	3,760	57.7
	Arrow Route to Merrill Avenue	7,810	60.9
	Merrill Avenue to Randall Avenue	5,310	59.2
	Randall Avenue to San Bernardino Avenue	4,230	58.2
	San Bernardino to Valley Boulevard	3,170	56.9
Citrus Avenue	SR-210 WB Ramps to SR-210 EB Ramps	24,020	70.1
	SR-210 EB Ramps to Baseline Avenue	23,070	65.7
	Baseline Avenue to Foothill Boulevard	17,450	64.4
	Foothill Boulevard to Arrow Route	19,000	64.8
	Arrow Route to Merrill Avenue	21,700	64.1
	Merrill Avenue to Randall Avenue	17,620	63.2
	Randall Avenue to San Bernardino Avenue	16,910	64.3
	San Bernardino Avenue to Valley Boulevard	18,590	65.9
	Valley Boulevard to I-10 WB Ramps	27,620	67.8
	I-10 WB Ramps to I-10 EB Ramps	23,150	67.0
Sierra Avenue	SR-210 WB Ramps to SR-210 EB Ramps	27,580	70.0
	SR-210 EB Ramps to Highland Avenue	36,110	70.2
	Highland Avenue to Baseline Avenue	24,910	68.5
	Baseline Avenue to Foothill Boulevard	18,930	64.8
	Foothill Boulevard to Arrow Route	18,380	62.5
	Arrow Route to Merrill Avenue	17,470	62.3
	Merrill Avenue to Randall Avenue	20,390	65.2
	Randall Avenue to San Bernardino Avenue	21,450	65.4
	San Bernardino Avenue to Valley Boulevard	29,530	66.9
	Valley Boulevard to I-10 Ramps	47,340	68.0

ADT = average daily trips; dBA = A-weighted decibels; CNEL = community noise equivalent level; SB = southbound; NB = northbound; EB = eastbound; WB = westbound; SR-210 = State Route 210; I-10 = Interstate 10; I-15 = Interstate 15.
Source: Based on traffic data within the *Speedway Commerce Center II Specific Plan Project Traffic Impact Study*, prepared by Kimley-Horn, 2022. Refer to Appendix B of the Acoustical Assessment for traffic noise modeling assumptions and results.

As depicted in **Table 4.13-1**, the existing traffic-generated noise level on Project-vicinity roadways currently ranges from 56.9 dBA CNEL to 72.9 dBA Community Equivalent Noise Level (CNEL) 100 feet from the centerline. CNEL is 24-hour average noise level with a 5 dBA “weighting” added to the hourly average noise levels (L_{eq}) during the hours of 7:00 p.m. to 10:00 p.m. and a 10 dBA “weighting” added to the hourly

L_{eq} noise levels during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime, respectively.

Stationary Sources

The nearest stationary noise sources in the Project vicinity include mechanical equipment and operational activities at the industrial uses surrounding the Project site. Noise sources from industrial uses typically include mechanical equipment such as heating, ventilation, and air conditioning (heating, ventilation, and air conditioning [HVAC]) units, pneumatic tools, idling trucks, loading/unloading activities, and on-site vehicles (e.g., forklifts), among others. Other sources of stationary noise include freight rail operations and maintenance at the industrial uses to the north, south, and west of the Project site. The noise associated with these sources may represent a single-event noise occurrence or short-term noise.

Auto Club Speedway Race Event Noise

The Auto Club Speedway (ACS) is centered along the south portion of the Project area. The ACS hosts various racing events annually, some of which produce high noise levels and are the dominant noise source in the Project area during such events. For example, noise measurements taken during a NASCAR race at the 2-mile ACS oval show that those events can generate noise levels up to 85 dBA L_{max} approximately 550 feet from the ACS property line.¹ For the approved but not yet constructed Next Gen motorsports facility, noise levels would be required to adhere to current ACS noise limits. According to noise measurement data obtained by Kimley-Horn at a racetrack similarly configured to the proposed Next Gen facility and modeled to estimate noise levels for the new track, NASCAR race events at the Next Gen facility would not exceed 85 dBA L_{max} as measured 550 feet from the ACS property line.² Although race events are high producers of noise, they occur infrequently and do not represent baseline ambient noise levels for the Project area.

Noise Measurements

The Project site is currently occupied by the ACS. To quantify existing ambient noise levels in the Project area, Kimley-Horn conducted seven short-term noise measurements on December 1, 2021; see Appendix A: Existing Ambient Noise Measurements of the Acoustical Assessment in DEIR **Appendix K**. The noise measurement sites were representative of typical existing noise exposure within and immediately adjacent to the Project site. The 10-minute measurements were taken between 9:08 a.m. and 11:15 a.m. Measurements of L_{eq} (equivalent noise level) are considered representative of the noise levels in the Project area, as noise-generating activities at the surrounding land uses are consistent throughout the day and do not vary by time period. The average noise levels and sources of noise measured at each location are listed in **Table 4.13-2: Existing Noise Measurements** and shown on **Figure 4.13-1: Noise Measurement Locations**.

¹ See 2010 Recirculated Subsequent EIR, Auto Club Speedway; 2021 Next Gen In California Addendum. The ACS noise standard also permits noise levels to exceed 100 dBA L_{max} as measured 550 feet from the property line on 35 days annually to be scheduled in advance with the County, with the amount of noise in excess of 85 dBA L_{max} on any single day limited to a maximum of 60 minutes and at varying increments of noise levels above 85 dBA L_{max} . The latter standard was intended to apply to drag strip operations at the ACS.

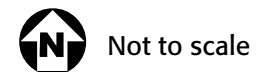
² Based on noise measurements conducted by Kimley-Horn and Associates at Martinsville Speedway on June 10, 2020. See 2021 Next Gen In California Addendum.



Source: Kimley-Horn and Associates, Inc., 2022

FIGURE 4.13-1: Noise Measurement Locations

Speedway Commerce Center II
 City of Rancho Cucamonga



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Table 4.13-2: Existing Noise Measurements

Site	Location	Date	Time	L _{eq} (dBA)	L _{min} (dBA)	L _{max} (dBA)
1	Southern side of Arrow Route, south of the southernmost end of Gallup Court	12/1/2021	9:08 a.m.	73.4	53.4	86.9
2	Eastern side of Calabash Avenue, adjacent to the southern property line of 8695 Calabash Avenue	12/1/2021	9:28 a.m.	60.4	45.4	82.0
3	Northeast corner of the Arrow Route and Almond Avenue intersection	12/1/2021	9:45 a.m.	73.4	53.9	94.5
4	Western side of Redwood Avenue, north of the Pine Avenue and Redwood Avenue intersection	12/1/2021	10:06 a.m.	62.4	44.4	79.9
5	Eastern side of Live Oak Avenue, across the street from Live Oak Elementary School	12/1/2021	10:24 a.m.	61.9	45.1	74.5
6	Northern side of El Molino Street, north of 9881 Cherry Avenue	12/1/2021	10:46 a.m.	60.1	53.9	80.3
7	Eastern side of Calabash Avenue, west of IAA Vehicle Purchasing	12/1/2021	11:05 a.m.	61.5	51.9	73.7

Source: Noise measurements taken by Kimley-Horn, December 1, 2021. See Appendix A of the Acoustical Assessment for noise measurement results.

Sensitive Receptors

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. Noise sensitive uses typically include residences, hospitals, schools, childcare facilities, and places of assembly. Vibration sensitive receivers are generally similar to noise sensitive receivers but may also include businesses, such as research facilities and laboratories that use vibration-sensitive equipment. The Project site is mainly surrounded by railroad infrastructure to the north of the Project site as well as truck/trailer storage warehousing, manufacturing, offices, and single-family residential units. Service garage, light industrial, and office land uses are present immediately south of the Project site. Warehousing, truck leasing, automotive dealers, and single-family residential units are located east of the Project site. Finally, warehousing, distribution, and logistics land uses as well as the San Sevaine Channel are located west of the Project site. Sensitive land uses nearest to the Project are listed in **Table 4.13-3: Sensitive Receptors**.

Table 4.13-3: Sensitive Receptors¹

Receptor Description	Distance and Direction from the Project (Measured from the Nearest Property Lines)
Single-family Residences	410 feet to the east
Single-family Residences	540 feet to the north
Single-family Residences	675 feet to the east
Paduma Monastery	1,100 to the north
Single-family Residences	1,300 feet to the east
Redwood Elementary School	1,370 feet to the northeast
Single-family Residences	1,800 feet to the north
Living Waters Ministry Church of God in Christ	2,000 feet to the north
Single-family Residences	2,100 feet to the north

Notes:
1. Distances measured from the nearest Project site boundary to the property boundary of the identified sensitive receptor.
Source: Google Earth, 2021.

4.13.3 Regulatory Setting

State

California Government Code

California Government Code Section 65302(f) mandates that the legislative body of each county and city adopt a noise element as part of its comprehensive general plan. The local noise element must recognize the land use compatibility guidelines established by the State Department of Health Services. The guidelines rank noise land use compatibility in terms of “normally acceptable,” “conditionally acceptable,” “normally unacceptable,” and “clearly unacceptable” noise levels for various land use types. Single-family homes are “normally acceptable” in exterior noise environments up to 60 CNEL and “conditionally acceptable” up to 70 CNEL. Multiple-family residential uses are “normally acceptable” up to 65 CNEL and “conditionally acceptable” up to 70 CNEL. Schools, libraries, and churches are “normally acceptable” up to 70 CNEL, as are office buildings and business, commercial, and professional uses.

Title 24 – Building Code

The State’s noise insulation standards are codified in the California Code of Regulations, Title 24: Part 1, Building Standards Administrative Code, and Part 2, California Building Code. These noise standards are applied to new construction in California for interior noise compatibility from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an exterior noise level of 65 dBA CNEL or higher.

Local

The Countywide Plan

The County of San Bernardino Countywide Policy Plan contains the following goal and policies that address noise as part of the Hazards Element³:

Goal HZ-2: People and the natural environment protected from exposure to hazardous materials, excessive noise, and other human-generated hazards.

Policy HZ-2.7: Truck delivery areas. We encourage truck delivery areas to be located away from residential properties and require associated noise impacts to be mitigated.

Policy HZ-2.9: Control sound at the source. We prioritize noise mitigation measures that control sound at the source before buffers, soundwalls, and other perimeter measures.

San Bernardino County Code of Ordinances

The San Bernardino County Code of Ordinances (San Bernardino County Code) establishes the following noise provisions that are relevant to the Project:

³ County of San Bernardino. 2020. *Countywide Plan, Policy Plan - Hazards Element*. <https://countywideplan.com/policy-plan/hazards/> (accessed January 2022).

Section 83.01.080 Noise

(c) Noise Standards for Stationary Noise Sources

- (1) *Noise Standards. Table 4.13-4: Noise Standards for Stationary Noise Sources* describes the noise standard for emanations from a stationary noise source, as it affects adjacent properties:

Table 4.13-4: Noise Standards for Stationary Noise Sources

Affected Land Uses (Receiving Noise)	7:00 a.m. – 10 p.m. L_{eq}	10:00 p.m. – 7:00 a.m. L_{eq}
Residential	55 dB(A)	45 dB(A)
Professional Services	55 dB(A)	55 dB(A)
Other Commercial	60 dB(A)	60 dB(A)
Industrial	70 dB(A)	70 dB(A)

L_{eq} = (Equivalent Energy Level). The sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period, typically one, eight or 24 hours.
 dB(A) = (A-weighted Sound Pressure Level). The sound pressure level, in decibels, as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound, placing greater emphasis on those frequencies within the sensitivity range of the human ear.
 L_{dn} = (Day-Night Noise Level). The average equivalent A-weighted sound level during a 24-hour day obtained by adding 10 decibels to the hourly noise levels measured during the night (from 10:00 p.m. to 7:00 a.m.). In this way L_{dn} takes into account the lower tolerance of people for noise during nighttime periods.
 Source: County of San Bernardino, *San Bernardino County, CA Code of Ordinances*, current through Ord. 4424, December 14, 2021.

- (2) *Noise Limit Categories*. No person shall operate or cause to be operated a source of sound at a location or allow the creation of noise on property owned, leased, occupied, or otherwise controlled by the person, which causes the noise level, when measured on another property, either incorporated or unincorporated, to exceed any one of the following:
- (A) The noise standard for the receiving land use as specified in Subdivision (b) (Noise-Impacted Areas), above, for a cumulative period of more than 30 minutes in any hour.
 - (B) The noise standard plus five dB(A) for a cumulative period of more than 15 minutes in any hour.
 - (C) The noise standard plus ten dB(A) for a cumulative period of more than five minutes in any hour
 - (D) The noise standard plus 15 dB(A) for a cumulative period of more than one minute in any hour.
 - (E) The noise standard plus 20 dB(A) for any period of time.

(d) Noise Standards for Adjacent Mobile Noise Sources

Noise from mobile sources may affect adjacent properties adversely. When it does, the noise shall be mitigated for any new development to a level that shall not exceed the standards described **Table 4.13-5: Noise Standards for Stationary Noise Sources**.

Table 4.13-5: Noise Standards for Adjacent Mobile Noise Sources

Land Use		L _{dn} (or CNEL) dB(A)	
Categories	Uses	Interior ¹	Exterior ²
Residential	Single and multi-family, duplex, mobile homes	45	60 ³
Commercial	Hotel, motel, transient housing	45	60 ³
	Commercial retail, bank, restaurant	50	N/A
	Office building, research and development, professional offices	45	65
	Amphitheater, concert hall, auditorium, movie theater	45	N/A
Institutional/Public	Hospital, nursing home, school classroom, religious institution, library	45	65
Open Space	Park	N/A	65
Notes:			
1. The indoor environment shall exclude bathrooms, kitchens, toilets, closets, and corridors.			
2. The outdoor environment shall be limited to:			
· Hospital/office building patios			
· Hotel and motel recreation areas			
· Mobile home parks			
· Multi-family private patios or balconies			
· Park picnic areas			
· Private yard of single-family dwellings			
· School playgrounds			
3. An exterior noise level of up to 65 dB(A) (or CNEL) shall be allowed provided exterior noise levels have been substantially mitigated through a reasonable application of the best available noise reduction technology, and interior noise exposure does not exceed 45 dB(A) (or CNEL) with windows and doors closed. Requiring that windows and doors remain closed to achieve an acceptable interior noise level shall necessitate the use of air conditioning or mechanical ventilation.			
4. CNEL = (Community Noise Equivalent Level). The average equivalent A-weighted sound level during a 24-hour day, obtained after addition of approximately five decibels to sound levels in the evening from 7:00 p.m. to 10:00 p.m. and ten decibels to sound levels in the night from 10:00 p.m. to 7:00 a.m.			
Source: County of San Bernardino, <i>San Bernardino County, CA Code of Ordinances</i> , current through Ord. 4424, December 14, 2021.			

(e) Increases in Allowable Noise Levels

If the measured ambient level exceeds any of the first four noise limit categories in Subdivision (d)(2), above, the allowable noise exposure standard shall be increased to reflect the ambient noise level. If the ambient noise level exceeds the fifth noise limit category in Subdivision (d)(2), above, the maximum allowable noise level under this category shall be increased to reflect the maximum ambient noise level.

(f) Reductions in Allowable Noise Levels.

If the alleged offense consists entirely of impact noise or simple tone noise, each of the noise levels in **Table 4.13-4** shall be reduced by five dB(A).

(g) Exempt Noise.

The following sources of noise shall be exempt from the regulations of this Section:

- (1) Motor vehicles not under the control of the commercial or industrial use.
- (2) Emergency equipment, vehicles, and devices.
- (3) Temporary construction, maintenance, repair, or demolition activities between 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays.

(h) Noise Standards for Other Structures.

All other structures shall be sound attenuated against the combined input of all present and projected exterior noise to not exceed the criteria (see **Table 4.13-6: Noise Standards for Other Structures**).

Table 4.13-6: Noise Standards for Other Structures

Typical Uses	12-Hour Equivalent Sound Level (Interior) in dBA L _{dn}
Educational, institutions, libraries, meeting facilities, etc.	45
General office, reception, etc.	50
Retail stores, restaurants, etc.	55
Other areas for manufacturing, assembly, testing, warehousing, etc.	65

Source: County of San Bernardino, *San Bernardino County, CA Code of Ordinances*, current through Ord. 4424, December 14, 2021.

In addition, the average of the maximum levels on the loudest of intrusive sounds occurring during a 24-hour period shall not exceed 65 dBA interior.

Section 83.01.090 Vibration.

- (a) Vibration Standard. No ground vibration shall be allowed that can be felt without the aid of instruments at or beyond the lot line, nor shall any vibration be allowed which produces a particle velocity greater than or equal to two-tenths inches per second measured at or beyond the lot line.
- (b) Vibration Measurement. Vibration velocity shall be measured with a seismograph or other instrument capable of measuring and recording displacement and frequency, particle velocity, or acceleration. Readings shall be made at points of maximum vibration along any lot line next to a parcel within a residential, commercial, and industrial land use zoning district.
- (c) Exempt Vibrations. The following sources of vibration shall be exempt from the regulations of this Section.
- (1) Motor vehicles not under the control of the subject use.
 - (2) Temporary construction, maintenance, repair, or demolition activities between 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays.

Auto Club Speedway Revised Noise Standards

The *Auto Club Speedway Revised Noise Standards Draft Recirculated Subsequent Environmental Impact Report* (March 2010) analyzed impacts associated with the proposed relocation of the drag strip (Revision 9) and the revised noise standards for the ACS. The proposed noise standards replaced the then-existing noise standard applicable to the Speedway, as evaluated in the 1995 Final EIR and applied under the Planned Development; see **Section 3.0: Project Description** for information on the 1995 documentation. Revision 11 established a noise standard of 85 dBA L_{max} as measured at 550 feet from the Speedway property line for standard operating days (330 days annually), and 100 dBA L_{max}, at 550 feet from the property line of the Speedway for the remaining 35 days of the year. The standards apply to all permitted activities at the ACS, including racing in the oval and drag strip, speaker amplification, and crowd noise. The Revision 11 noise standard was designed to protect sensitive receptors, as it meets U.S. EPA noise criteria for hearing loss and required monitoring at a set distance of 550 feet from the

Speedway (20 feet south of the nearest residence) to monitor compliance. Noise levels exceeding 100 dBA L_{max} would be allowed for a total of 35 days per year annually to be scheduled in advance with the County.

4.13.4 Impact Thresholds and Significance Criteria

Appendix G of the CEQA Guidelines contains analysis guidelines related to noise impacts. These guidelines have been used by the County to develop thresholds of significance for this analysis. A project would create a significant environmental impact if it would 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;
- Generation of excessive groundborne vibration or groundborne noise levels; or
- For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the Project area to excessive noise levels.

Methodology

Construction

Construction noise levels were based on typical noise levels generated by construction equipment published by the Federal Transit Administration (FTA) and the FHWA. Construction noise is assessed in dBA L_{eq} . This unit is appropriate because L_{eq} can be used to describe noise level from operation of each piece of equipment separately, and levels can be combined to represent the noise level from all equipment operating during a given period.

Construction noise modeling was conducted using the FHWA Roadway Construction Noise Model (RCNM). Reference noise levels are used to estimate operational noise levels at nearby sensitive receptors based on a standard noise attenuation rate of six dB per doubling of distance (line-of-sight method of sound attenuation for point sources of noise). Noise level estimates do not account for the presence of intervening structures or topography, which may reduce noise levels at receptor locations. Therefore, the noise levels presented herein represent a conservative, reasonable worst-case estimate of actual temporary construction noise.

For the purposes of analyzing construction noise, the construction activities for the e-commerce, high-cube logistics, and ancillary commercial uses were modeled in four separate phases (Phase 1a, Phase 1b, Phase 2, and Commercial) to be developed successively over four years. Construction was modeled generally according to the following timeline:

- Phase 1a (Buildings 1 through 3): Commence in 2023 with a 12-month duration.
- Phase 1b (Buildings 4 and 5): Commence in 2024 with a 12-month duration.
- Phase 2 (Buildings 6 and 7): Commence in 2025 with a 12-month duration.
- Commercial Parcel: Commence in 2026 with an 11-month duration.

Operations

The analysis of the Without Project and With Project noise environments is based on noise prediction modeling and empirical observations. Reference noise level data are used to estimate the Project operational noise impacts from stationary sources. Noise levels are collected from field noise measurements and other published sources from similar types of activities and are used to estimate noise levels expected from the Project's stationary sources. The reference noise levels are used to represent a worst-case noise environment as noise level from stationary sources can vary throughout the day. Operational noise is evaluated based on the standards within the County's Noise Ordinance and General Plan. The Without Project and With Project traffic noise levels in the Project vicinity were calculated using the FHWA Highway Noise Prediction Model (FHWA-RD-77-108).

Vibration

Groundborne vibration levels for the Project's construction-related activities were evaluated by utilizing typical groundborne vibration levels associated with construction equipment, obtained from FTA published data for construction equipment. Potential groundborne vibration impacts related to building/structure damage and interference with sensitive existing operations were evaluated, considering the distance from construction activities to nearby land uses and reference vibration levels from the FTA.

For a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 inches per second (in/sec) is considered safe and would not result in any vibration damage. FTA guidelines show that modern engineered buildings built with reinforced-concrete, steel or timber can withstand vibration levels up to 0.50 in/sec and not experience vibration damage. The Caltrans 2020 *Transportation and Construction Vibration Guidance Manual* identifies the vibration threshold for human annoyance: vibration levels of 0.1 in/sec begin to cause annoyance and levels of 0.2 in/sec are considered annoying.

4.13.5 Impacts and Mitigation Measures

Impact 4.13-1 *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?*

Level of Significance: Significant and Unavoidable

Construction

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). During construction, exterior noise

levels could affect the residential neighborhoods surrounding the construction site. Construction activities would include demolition, site preparation, grading, building construction, paving, and architectural coating. Typical noise levels associated with individual construction equipment are listed in **Table 4.13-7: Typical Construction Noise Levels**.

Table 4.13-7: Typical Construction Noise Levels

Equipment	Typical Noise Level (dBA) at 50 feet from Source
Air Compressor	80
Backhoe	80
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane, Mobile	83
Dozer	85
Generator	82
Grader	85
Impact Wrench	85
Jack Hammer	88
Loader	80
Paver	85
Pneumatic Tool	85
Pump	77
Roller	85
Saw	76
Scraper	85
Shovel	82
Truck	84
1. Calculated using the inverse square law formula for sound attenuation: $dBA_2 = dBA_1 + 20 \log(d_1/d_2)$ Where: dBA_2 = estimated noise level at receptor; dBA_1 = reference noise level; d_1 = reference distance; d_2 = receptor location distance Source: Federal Transit Administration, <i>Transit Noise and Vibration Impact Assessment Manual</i> , September 2018.	

The County does not establish quantitative exterior construction noise standards. Instead, the San Bernardino County Code establishes limited hours of construction activities. San Bernardino County Code Section 83.01.080 states that temporary construction, maintenance, repair, or demolition activities shall be exempt from noise regulations detailed in this section between 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays. Concrete pouring routinely occurs during early morning hours (i.e., beginning at 1:00 a.m.) to avoid heat that could cause the concrete to set too quickly and lose workability; however, concrete pours typically do not involve significant noise levels, as shown in **Table 4.13-9** to **Table 4.13-12**. Construction of the Project would be limited to the daytime hours of construction permitted (between the hours of 7:00 a.m. to 7:00 p.m. and would not occur on Sundays or Federal holidays as stated in the County Building Code Standards (§ 150.003 Construction: Hours of Construction) (unless otherwise approved by the County), and nighttime lighting would only be required seasonally. In accordance with Standard Condition (SC) NOI-1, Project construction activities that would generate noise will be limited to the hours between 7:00 a.m. and 7:00 p.m. and will not occur on Sundays or Federal holidays; therefore, the Project's construction-related noise would not exceed the County's Development Code standards. However, this analysis conservatively uses the FTA's threshold of 80 dBA

(8-hour L_{eq}) for residential uses to evaluate construction noise impacts.⁴ Construction activities associated with the Project would occur in multiple phases. The timing assumed for each phase is described above under **Methodology**.

Following FTA's methodology for quantitative construction noise assessments, construction-generated noise levels associated with the Project were calculated using FHWA's RCNM computer program. RCNM enables the prediction of construction noise levels for a variety of construction operations based on a compilation of empirical data and the application of acoustical propagation formulas. The program enables the calculation of construction noise levels in more detail and with more accuracy than manual methods while avoiding the need to collect extensive amounts of project-specific input data. Inputs to the RCNM model include the distance from construction equipment to receiver, construction equipment used, usage factors, and shielding from intervening walls or structures. See Appendix B: Noise Modeling Data of the Acoustical Assessment (DEIR **Appendix K**) for more information regarding the construction assumptions used in this analysis.

Table 4.13-8: Construction Equipment for RCNM Modeling, shows the equipment types and quantities modeled in RCNM for each construction phase. **Table 4.13-9: Phase 1a Project Construction Noise Levels** shows estimated exterior construction noise levels at the nearest sensitive uses (residences located approximately 1,900 feet northeast of the acoustic center for Phase 1a construction activities) without accounting for attenuation from physical barriers or topography. Thus, estimated noise levels to sensitive receptors shown below are likely higher than they would be if attenuation was accounted for. Following FTA methodology, when calculating construction noise, all equipment is assumed to operate at the center of the construction area because equipment would operate throughout the site and not at a fixed location for extended periods of time.⁵ Therefore, the distance used in the RCNM model was 1,900 feet for the nearest residential uses located to the northeast of Phase 1a construction. As indicated in **Table 4.13-9: Phase 1a Project Construction Noise Levels** would not exceed the FTA's 80 dBA threshold at the nearest residential uses.

Table 4.13-8: Construction Equipment for RCNM Modeling

Project Phase	Construction Phase	Equipment	Quantity
Phase 1a Phase 1b Phase 2 Commercial	Demolition	Concrete Saw	1
		Dozer	1
	Road Construction/Utilities	Excavator	1
		Dozer	1
	Excavation/Mass Site Grading	Grader	1
		Roller	1
	Concrete Pour	Crane	1
		Pumps	1
	Paving/Landscape/Site Finishes	Grader	1
	Architectural Coating	Air Compressor	2

Source: Kimley-Horn. 2022. *Acoustical Assessment*. Table 12.

⁴ Federal Transit Administration. 2018. *Transit Noise and Vibration Impact Assessment Manual*, Table 7-2, Page 179.

⁵ Per the General Assessment construction methodology in Section 7.1 of the FTA Transit Noise and Vibration Impact Assessment Manual (September 2018), see page 177.

Table 4.13-9: Phase 1a Project Construction Noise Levels

Construction Phase	Distance to Nearest Sensitive Receptor (feet) ¹	Modeled Exterior Construction Noise Level (dBA L _{eq})	Noise Threshold (dBA L _{eq})	Exceed Threshold?
Demolition	1,900	52.2	80	No
Road Construction/Utilities		48.7	80	No
Excavation/Mass Site Grading		50.1	80	No
Concrete Pour		47.4	80	No
Paving/Landscape/Site Finishes		52.0	80	No
Architectural Coating		45.1	80	No
Note: 1. Following FTA methodology, all equipment is assumed to operate at the center of the Phase 1a construction site because equipment would operate throughout the Project site and not at a fixed location for extended periods of time. Thus, the distance used in the RCNM model was approximately 1,900 feet for the nearest sensitive receptors to the northeast of the active Phase 1a construction zone. Source: Federal Highway Administration. 2006. <i>Roadway Construction Noise Model</i> . Refer to Appendix B of the Acoustical Assessment for noise modeling results.				

Table 4.13-10: Phase 1b Project Construction Noise Levels depicts the estimated noise levels from Phase 1b construction at the nearest residential uses located approximately 1,270 feet to the north of Phase 1b construction activities (again without accounting for attenuation from physical barriers or topography). As indicated in **Table 4.13-10: Phase 1b Project Construction Noise Levels** would not exceed the FTA's 80 dBA threshold at the nearest residential uses.

Table 4.13-10: Phase 1b Project Construction Noise Levels

Construction Phase	Distance to Nearest Sensitive Receptor (feet) ¹	Modeled Exterior Construction Noise Level (dBA L _{eq})	Noise Threshold (dBA L _{eq})	Exceed Threshold?
Demolition	1,270	55.7	80	No
Road Construction/Utilities		52.2	80	No
Excavation/Mass Site Grading		53.6	80	No
Concrete Pour		50.9	80	No
Paving/Landscape/Site Finishes		55.5	80	No
Architectural Coating		48.6	80	No
Note: 1. Following FTA methodology, all equipment is assumed to operate at the center of the Phase 1b construction site because equipment would operate throughout the Project site and not at a fixed location for extended periods of time. Thus, the distance used in the RCNM model was approximately 1,270 feet for the nearest sensitive receptors to the north of the active Phase 1b construction zone. Source: Federal Highway Administration. 2006. <i>Roadway Construction Noise Model</i> . Refer to Appendix B of the Acoustical Assessment for noise modeling results.				

Table 4.13-11: Phase 2 Project Construction Noise Levels depicts the estimated noise levels from Phase 2 construction noise levels at the nearest residential uses located approximately 3,000 feet to the north of Phase 2 construction activities (again without accounting for attenuation from topography or physical structures). As indicated in **Table 4.13-11: Phase 2 Project Construction Noise Levels** would not exceed the FTA's 80 dBA threshold at the nearest residential uses.

Table 4.13-11: Phase 2 Project Construction Noise Levels

Construction Phase	Distance to Nearest Sensitive Receptor (feet)	Modeled Exterior Construction Noise Level (dBA L_{eq})	Noise Threshold (dBA L_{eq})	Exceed Threshold?
Demolition	3,000	48.2	80	No
Road Construction/Utilities		44.7	80	No
Excavation/Mass Site Grading		46.1	80	No
Concrete Pour		43.5	80	No
Paving/Landscape/Site Finishes		48.0	80	No
Architectural Coating		41.1	80	No
Note: 1. Following FTA methodology, all equipment is assumed to operate at the center of the Phase 2 construction site because equipment would operate throughout the Project site and not at a fixed location for extended periods of time. Thus, the distance used in the RCNM model was approximately 3,000 feet for the nearest sensitive receptors to the north of the active Phase 2 construction zone. Source: Federal Highway Administration. 2006. <i>Roadway Construction Noise Model</i> . Refer to Appendix B of the Acoustical Assessment for noise modeling results.				

Table 4.13-12: Commercial Project Construction Noise Levels depicts the estimated noise levels from construction of the commercial uses at the nearest residential uses located approximately 2,000 feet to the east of commercial construction activities. As indicated in **Table 4.13-12: Commercial Project Construction Noise Levels** would not exceed the FTA's 80 dBA threshold at the nearest residential uses.

Table 4.13-12: Commercial Project Construction Noise Levels

Construction Phase	Modeled Exterior Construction Noise Level (dBA L_{eq})	Noise Threshold (dBA L_{eq})	Exceed Threshold?
Demolition	51.8	80	No
Road Construction/Utilities	48.2	80	No
Excavation/Mass Site Grading	49.6	80	No
Concrete Pour	47.0	80	No
Paving/Landscape/Site Finishes	51.5	80	No
Architectural Coating	44.7	80	No
Note: 1. Following FTA methodology, all equipment is assumed to operate at the center of the Commercial construction area because equipment would operate throughout the Project site and not at a fixed location for extended periods of time. Thus, the distance used in the RCNM model was approximately 2,000 feet for the nearest sensitive receptors to the east of the active commercial construction zone. Source: Federal Highway Administration. 2006. <i>Roadway Construction Noise Model</i> . Refer to Appendix B of the Acoustical Assessment for noise modeling results.			

Construction activities may also cause increased noise along site access routes due to movement of equipment and workers. Based on the Project's Air Quality Assessment (**Appendix C**), a maximum of 1,167 daily construction trips (i.e., worker, vendor, and hauling trips) would occur during the excavation/mass site grading phase during Phase 1a construction. According to analysis from the California Department of Transportation, traffic volumes on Project area roadways would have to approximately double to result in a barely perceptible 3-dBA increase in traffic noise levels.⁶ As indicated above in **Table 4.13-1**, existing traffic volumes along Cherry Avenue and San Bernardino Avenue (the nearest access routes to the Project site for construction traffic) ranges from 16,810 ADT to 23,490 ADT. Thus, Project construction traffic (up

⁶ According to the California Department of Transportation, *Technical Noise Supplement to Traffic Noise Analysis Protocol* (September 2013), it takes a doubling of traffic to create a noticeable (i.e., 3 dBA) noise increase.

to 1,167 daily trips) would represent less than seven percent of existing ADT volumes along roadways in the Project vicinity and would result in a minimal increase in traffic noise levels.

As discussed above, construction noise levels would not exceed the FTA noise standard of 80 dBA at the nearest sensitive receptors during Project construction, and construction traffic would not result in a noticeable increase in traffic noise levels. In addition, compliance with the best management practices and allowable construction hours in the San Bernardino County Code, as set forth in Standard Condition **SC NOI-1**, would further minimize impacts from construction noise. **SC NOI-1** would ensure that all construction equipment is equipped with properly operating and maintained mufflers and other State required noise attenuation devices,⁷ signs are posted near residences with contact information and dates of construction activities, construction notices are sent to adjacent residences, construction haul routes avoid sensitive uses where possible, and designating a noise disturbance coordinator to minimize and manage construction noise, among others. Therefore, construction-related noise impacts from would be less than significant in this regard.

Operations

Implementation of the proposed Project would create new sources of noise in the Project vicinity. The major noise sources associated with the Project would include train noise; mechanical equipment (i.e., HVAC equipment); truck deliveries and loading activities; parking areas (i.e., car door slamming, car radios, engine start-up, and car pass-by); and off-site traffic noise.

Train Noise

There is one rail spur that crosses the site at the southwest end of the Project site, and one rail spur is located directly to the west of the site. An active freight and passenger rail line lies just north along the northern boundary of the Project. There are currently five at-grade rail crossings located within one mile of the Project site. The Project would not impact the use, location, or function of these existing spur lines or crossings. However, the Project would include conversion of two existing private at-grade rail crossing to public at-grade rail crossings at the west end of Street "A" (off-site) and one at Street "D" (on-site) which will cross the existing spur lines located along the Project's western boundary and improvements to one existing off-site at-grade rail crossing at San Bernardino Avenue. The Master Developer is coordinating with Union Pacific (UP), BNSF and California Public Utilities Commission for the proposed modifications to accommodate the Project right of way improvements. The proposed at-grade crossings would not result in an increase in train horn activity in the Project area or a new source of noise as these are existing railroad crossings within the Project area. The two crossings are not located closer to sensitive receptors than they currently are and the Project site is within an industrial area surrounded by industrial uses and trains currently operate within the Project area. Furthermore, the Project will include the construction of new buildings and landscaping which will further help to buffer the noise to the residential properties to the north and east of the Project site. Therefore, train horn noise levels at the existing

⁷ Per the Federal Highway Administration's *Special Report - Measurement, Prediction, and Mitigation*, Chapter 4 Mitigation, 2017, muffler systems can reduce noise levels by 10 dBA or more.

sensitive receptors in the Project vicinity (e.g., residences to the north and east of the Project site) would be similar or less as a result of the Project, and a less than significant impact would occur in this regard.

Mechanical Equipment

The Project is located near residential properties to the north and east which are scattered among warehouse and manufacturing businesses. Potential stationary noise sources related to long-term operation of the Project site would include mechanical equipment. The primary noise-generating mechanical equipment utilized at the Project site would consist of HVAC equipment,⁸ which typically generates noise levels of approximately 52 dBA at 50 feet.⁹ Noise has a decay rate due to distance attenuation, which is calculated based on the Inverse Square Law of sound propagation. Based upon the Inverse Square Law, sound levels decrease by 6 dBA for each doubling of distance from the source. The nearest potential location for HVAC equipment would be located approximately 560 feet from the residential property line to the east of the Project site along Cherry Avenue. At this distance and conservatively assuming the simultaneous operation of 10 HVAC units, HVAC noise levels would attenuate to approximately 36.0 dBA,¹⁰ which is below the County's 55 dBA and 45 dBA daytime and nighttime stationary noise standards, respectively, for residential uses. In addition, HVAC noise levels (36.0 dBA at the nearest sensitive receptor) would not exceed the measured ambient levels in the Project vicinity; see **Table 4.13-2**. Therefore, the proposed Project would result in a less than significant impact related to mechanical equipment noise levels.

Truck Delivery and Loading Dock Noise

On-site movements from truck deliveries and truck loading/unloading activities would occur at the logistics buildings throughout the Project site. In addition, less frequent truck deliveries would occur at the commercial uses in the southeastern portion of the Project site along Cherry Avenue. During truck loading and unloading activities at the Project site, noise would be generated by the trucks' diesel engines, exhaust systems, and brakes during low gear shifting' braking activities; backing up toward the docks; dropping down the dock ramps; and maneuvering away from the docks. As noted above, San Bernardino County Code Section 83.01.080(C) employs noise standards for stationary sources as received at a variety of land uses (i.e., residential, professional services, commercial, industrial uses). Due to the slow speed of travel and idling of trucks at the Project site, the County's stationary noise standards are utilized below to analyze impact from truck delivery and loading dock noise.

The proposed logistics buildings would include dock-high doors for truck loading/unloading for high-cube logistics and e-commerce operations. The dock-high doors are set back to approximately 700 feet from the property line of the nearest residences to the east of the Project site along Cherry Avenue and approximately 800 feet to the property line of the nearest residence to the north. Truck and loading dock noise (i.e., noise from truck movements to the loading docks, backup alarms, idling, and loading/unloading

⁸ Other stationary noise sources from the Project, including loading activities and truck deliveries, are discussed below.

⁹ Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden. 2015. *Noise Navigator Sound Level Database with Over 1700 Measurement Values*.

¹⁰ Assuming a 5 dBA reduction from the Cherry Avenue overcrossing structure and existing industrial building located between the Project site and nearest residence to the east; see **Table 4.13-13**.

activities) is typically 64.4 dBA at 50 feet.¹¹ As a result, noise levels from on-site truck deliveries and loading activities would attenuate under the inverse square law of sound propagation to approximately 36.5 dBA¹² and 40.3 dBA at the nearest residential uses to the east and north, respectively.

Thus, noise levels from on-site truck deliveries and loading activities would not exceed the County's most stringent nighttime noise standard of 45 dBA for residential uses. Furthermore, loading dock doors would also be surrounded with protective aprons, gaskets, or similar improvements that, when a trailer is docked, would serve as a noise barrier between the interior warehouse activities and the exterior loading area. This would attenuate noise emanating from interior activities, and as such, noise from interior loading and associated activities would not be perceptible at the nearest sensitive receptors. In addition, intervening warehouse buildings and retaining walls on the Project site would act as a buffer and reduce truck loading/unloading noise levels at the nearest sensitive receptors (residential uses) from the Project site. Therefore, noise levels from trucks and loading/unloading activities would not exceed any local noise standards and a less than significant impact would occur.

Parking Noise

Surface parking would be provided for automobiles and truck trailers in the northern, eastern, southeastern, southern, southwestern, western, and central portions of the Project site. In total, the proposed Project would provide approximately 98 acres of parking fields/drop lots. The instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys range from 53 to 61 dBA.¹³ Noise levels associated with truck trailer movements at the drop lots would be similar to those described above for truck loading activities, and therefore are conservatively assumed to be approximately 64.4 dBA at 50 feet. Conversations in parking areas may also be an annoyance to adjacent sensitive receptors. Sound levels of speech typically range from 33 dBA at 50 feet for normal speech to 50 dBA at 50 feet for very loud speech.¹⁴ Based on the car and truck reference noise levels identified above and the inverse square law of sound propagation, parking lot noise levels would reach approximately 42.7¹⁵ dBA at the closest residence approximately 410 feet to the east of the parking area for Building 3 at the Project site. It should be noted, however, that parking lot noise would be short in duration and would not occur on a frequent basis. Rather, parking lot noise from automobiles and trucks would occur intermittently and could see an increase during peak travel periods. Trucks would also be limited to five minutes of idling in compliance with State regulations, which would further reduce parking lot noise levels. As such, parking lot noise levels from the Project are expected to be lower than the estimates provided above when averaged over time and are not anticipated to exceed the County's noise standards for stationary sources.

¹¹ Loading dock reference noise level measurements conducted by Kimley-Horn on December 18, 2018 at the La Palma Neighborhood Walmart, approximately 50 feet from the Walmart loading dock area. Loading dock activities included trucks arriving at the docks, backing up, and loading/unloading using pallet jacks.

¹² Assuming a 5 dBA reduction from the Cherry Avenue overcrossing structure and existing industrial building located between the Project site and nearest residence to the east; see **Table 4.13-13**.

¹³ Kariel, H. G. 1991. *Noise in Rural Recreational Environments*, Canadian Acoustics 19(5), 3-10.

¹⁴ Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden. 2015. *Noise Navigator Sound Level Database with Over 1700 Measurement Values*.

¹⁵ This represents the combined automobile (61 dBA) and truck parking lot (64.4 dBA) noise levels at the nearest residences approximately 410 feet away, and assumes a 5 dBA reduction from the Cherry Avenue overcrossing structure and existing industrial building located between the Project site and nearest residence to the east.

It should also be noted that the Cherry Avenue overcrossing structure and a small industrial building are located between the nearest residence to the east and the Project site, which would act as noise buffers and further reduce Project-generated noise levels at the nearest residence to the east. Additionally, parking noise occurs under existing conditions at the Project site and surrounding properties; thus, the Project would not introduce a new noise source to the Project area. Therefore, noise impacts associated with parking would be less than significant.

Combined Stationary Source Noise Levels

Noise levels associated with mechanical equipment, truck deliveries and loading activities, and parking areas were logarithmically combined to estimate the Project's composite operational noise level at the nearest sensitive receptor(s); see **Table 4.13-13: Stationary Source Noise Levels**. It should be noted that predicted noise levels in **Table 4.13-13** are conservative estimates since it was assumed that all equipment and operational activity at the Project site would occur in a constant, simultaneous manner. In reality, it is anticipated that these noise sources would occur intermittently throughout the day and night (except for HVAC which could operate in a steady-state manner).

As shown in **Table 4.13-13**, the Project's combined stationary source noise levels would be approximately 44.3 dBA at the nearest residential use, which would not exceed the County's most stringent nighttime noise standard of 45 dBA for residential uses. However, as noted above, the noise levels in **Table 4.13-13** conservatively assume the simultaneous, constant operation of all on-site stationary noise sources; in reality, these noise sources would operate intermittently throughout the day and night and not in a continuous manner. As such, it is anticipated that the Project's combined stationary noise levels would be lower than those shown in **Table 4.13-13**. It is also noted that the County allows for a 10 dBA increase over the stationary noise standards in **Table 4.13-4** for a cumulative period of five minutes or less in any hour (see San Bernardino County Code Section 83.01.080(c)(2)(C)). Trucks parking/idling at the Project site would not idle for more than five minutes in compliance with State requirements, and thus, would not contribute to a temporary noise increase over five minutes in duration. Therefore, operational noise levels from the project's stationary sources would not exceed the County's applicable noise standards, and a less than significant impact would occur in this regard.

Table 4.13-13: Stationary Source Noise Levels

Nearest Land Use	Direction	Distance (feet)	Reference Noise Level at 50 ft (dBA)	Noise Level at Receiver (dBA) ¹	County Noise Standard (dBA L _{eq}) ²	Standard Exceeded?
Mechanical Equipment						
Residential	Southeast	560	52.0 ³	36.0	45	No
Truck Delivery and Loading Dock Noise						
Residential	Southeast	700	64.4 ⁴	36.5	45	No
Parking Noise						
Residential	Southeast	410	66.0 ⁵	42.7	45	No
Combined Noise Level (Mechanical Equipment + Truck Delivery and Loading Dock Noise + Parking Noise)						
Residential	Southeast	410	66.2 ⁴	44.3 ⁶	45	No

Nearest Land Use	Direction	Distance (feet)	Reference Noise Level at 50 ft (dBA)	Noise Level at Receiver (dBA) ¹	County Noise Standard (dBA L _{eq}) ²	Standard Exceeded?
Notes:						
<ol style="list-style-type: none"> Assumes a 5 dBA reduction from the Cherry Avenue overcrossing structure and existing industrial building located between the Project site and nearest residence to the east. The County's most stringent noise standard for stationary sources is 45 dBA L_{eq} (for residential uses during nighttime hours). Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, <i>Noise Navigator Sound Level Database with Over 1700 Measurement Values</i>, June 26, 2015. Loading dock reference noise level measurements conducted by Kimley-Horn on December 18, 2018 at the La Palma Neighborhood Walmart, approximately 50 feet from the Walmart loading dock area. Loading dock activities included trucks arriving at the docks, backing up, and loading/unloading using pallet jack. Parking lot noise level was calculated based on the logarithmic decibel scale and represents the combined automobile (61 dBA) and truck parking lot (64.4 dBA) noise levels discussed in the "Parking Noise" section above. Calculated based on the logarithmic decibel scale and the reference noise levels for mechanical equipment, truck delivery and loading dock noise, and parking area noise levels identified above. 						
Source: Kimley-Horn. 2022. <i>Acoustical Assessment</i> . Table 17.						

Off-Site Traffic Noise

Implementation of the Project would generate increased traffic volumes along nearby roadway segments. Based on the Project's Transportation Impact Study (**Appendix L**), the proposed Project would result in approximately 43,549 daily trips at full buildout, including approximately 9,865 daily truck trips. It is noted that daily vehicle trips from the Project would incrementally increase from Opening Year to full buildout, as shown in the trip generation table in the Project's Transportation Impact Study. Off-site traffic noise levels were calculated using the FHWA Highway Noise Prediction Model (FHWA-RD-77-108) utilizing the Project fleet mix (i.e., the percentage of heavy trucks, medium trucks, and passenger vehicles) from the Project's Transportation Impact Study to estimate traffic noise levels by vehicle type and roadway segment. The Project fleet mix varies by roadway segment and is provided in the Project's Transportation Impact Study and the RD-77-108 modeling results in Appendix B of the Acoustical Assessment (AA).

Opening Year 2024 – Phase 1 Traffic Conditions

The Opening Year "2024 Without Project" and "2024 Plus Phase 1" scenarios are compared in AA Table 18: Opening Year 2024 and Opening Year 2024 Plus Phase 1 Traffic Noise Levels. As shown in AA Table 18, Opening Year 2024 Without Project traffic noise levels would range from 57.2 dBA CNEL to 73.4 dBA CNEL, and Opening Year 2024 Plus Phase 1 traffic noise Levels would range between 57.2 dBA CNEL and 73.9 dBA CNEL. Project generated traffic would result in a maximum increase of 3.8 dBA CNEL along Randall Avenue (from Cherry Avenue to Citrus Avenue). In general, a 3-dBA increase in traffic noise is barely perceptible to people, while a 5-dBA increase is readily noticeable. AA Table 18 shows that increases in traffic noise levels along Randall Avenue (from Cherry Avenue to Citrus Avenue) would exceed 3.0 dBA and would exceed the County's applicable noise standard of 60 dBA CNEL for residential uses. The impacted roadway segments along Randall Avenue comprise approximately three miles and land use along this stretch are primarily residential. Potential mitigation measures to reduce the Project's traffic noise impacts at the impacted residences would include the construction of sound walls, noise abatement design features (e.g., providing upgraded windows), and/or re-paving the impacted roadway segments with rubberized asphalt. However, there are several issues with the aforementioned measures that would make off-site mitigation for traffic noise impacts infeasible:

- The Project applicant (and the future Master Developer/Site Developers) does not have jurisdiction over the local roadways and/or existing residences to directly mitigate traffic noise impacts at the impacted receivers.
- Sound walls are not feasible at the impacted residences due to driveway access issues. The noise barriers would have gaps to allow for driveway access and would be ineffective.
- Sound walls could create safety issues for ingress/egress at the residential driveways.
- The cost of a sound wall and/or rubberized asphalt is not proportional to a barely perceptible increase (+3 dBA) for two roadway segments, while a barely perceptible increase would occur at the remaining segments.
- Individual residences may deny approval of sound walls or upgraded windows.
- Rubberized asphalt surface would not be consistent with the rest of the roadway(s) in the Project area. This could also cause logistical issues for the County Public Works Department and road maintenance contractors.
- Portions of Randall Avenue are not within the County’s jurisdiction (i.e., from the mid-block of Elm Avenue and Poplar Avenue east to Citrus Avenue are within the City of Fontana).

For the reasons mentioned above, off-site mitigation to reduce mobile traffic noise impacts from the Project are not feasible for implementation. Therefore, because the Project would result in a substantial increase in traffic noise levels and would exceed the County’s applicable noise standards under Opening year 2024 Plus Phase 1 conditions, and there is no feasible mitigation for existing development, a significant and unavoidable impact would occur in this regard.

Opening Year 2027 Plus Phases 1 & 2 Traffic Conditions¹⁶

The Opening Year “2027 Without Project” and “2027 Plus Phases 1 & 2” scenarios were also compared. As shown in AA Table 19: Opening Year 2027 and Opening Year 2027 Plus Phases 1 & 2 Traffic Noise Levels, roadway noise levels would range between 57.4 dBA CNEL and 73.7 dBA CNEL at 100 feet from the centerline without the Project and between 57.4 dBA CNEL and 74.3 dBA CNEL with Phases 1 & 2 under Opening Year 2027 conditions. The Project would result in a maximum increase of 4.5 dBA CNEL along Randall Avenue (from Beech Avenue to Citrus Avenue). AA Table 19 shows that increases in traffic noise levels along Randall Avenue (from Cherry Avenue to Citrus Avenue) would exceed 3.0 dBA and would exceed the County’s applicable noise standard of 60 dBA CNEL for residential uses along Randall Avenue. As discussed above in the “Opening Year 2024 – Phase 1 Traffic Conditions” traffic noise analysis, there is no feasible mitigation to reduce off-site traffic noise impacts at the existing residential development along Randall Avenue. Therefore, implementation of the Project would result in a substantial increase in traffic noise levels and would exceed the County’s applicable noise standards under Opening Year 2027 Plus Phases 1 & 2 conditions, and there is no feasible mitigation for existing development. A significant and unavoidable impact would occur in this regard.

¹⁶ Traffic from the commercial development is included in Phase 2 and is consistent with the Trip Generation table in the Project’s Transportation Impact Study (*Appendix L*).

Horizon Year 2040 Plus Phases 1 & 2 Traffic Conditions

Further, the Horizon Year “2040 Without Project” and “2040 Plus Phases 1 & 2” scenarios were also compared. As shown in AA Table 20: Horizon Year 2040 and Opening Year 2040 Plus Phases 1 & 2 Traffic Noise Levels, roadway noise levels would range between 61.3 dBA CNEL and 74.2 dBA CNEL at 100 feet from the centerline without the Project and between 61.8 dBA CNEL and 74.9 dBA CNEL with Phases 1 & 2 under Horizon Year 2040 conditions. The Project would result in a maximum increase of 3.8 dBA CNEL along Randall Avenue (from Beech Avenue to Citrus Avenue). AA Table 20 shows that increases in traffic noise levels along Randall Avenue (from Cherry Avenue to Citrus Avenue) would exceed 3.0 dBA and would exceed the County’s applicable noise standard of 60 dBA CNEL for residential uses along Randall Avenue. As discussed above, there is no feasible mitigation for existing residential development along local roadways in the Project vicinity. Therefore, implementation of the Project would result in a substantial increase in traffic noise levels and would exceed the County’s applicable noise standards under Horizon Year 2040 Plus Phases 1 & 2 conditions, and there is no feasible mitigation for existing development. A significant and unavoidable impact would occur in this regard.

As shown in AA Table 18, Table 19, and Table 20, the amount of traffic generated by the Project would result in a substantial increase in traffic noise in exceedance of the County’s noise standards under Opening Year 2024 Plus Phase 1, Opening Year 2027 Plus Phases 1 & 2, and Opening Year 2040 Plus Phases 1 & 2 conditions, and there is no feasible mitigation to reduce these impacts. It should be noted, however, that as electric trucks and passenger vehicles become more commercially available in accordance with California’s Advanced Clean Truck (ACT) and zero emission vehicle (ZEV) rules, the truck fleets and passenger vehicles accessing the Project site would generate lower traffic noise levels compared to a business-as-usual scenario. Nonetheless, off-site traffic noise impacts from the Project would be significant and unavoidable.

Standard Conditions and Requirements:

Standard Conditions are existing requirements and standard conditions that are based on local, state, or federal regulations or laws that are frequently required independently of CEQA review. The City may impose additional conditions during the approval process, as appropriate. Because Standard Conditions are neither Project specific nor a result of development of the Project, they are not considered to be either PDFs or Mitigation Measures.

SC NOI-1 Prior to Grading Permit issuance, the Master Developer and/or Site Developer, as applicable, shall demonstrate, to the satisfaction of the County Engineer that the Project complies with the following:

- Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State required noise attenuation devices.
- A sign, legible at 50 feet shall be posted at the Project construction site. The sign(s) shall be reviewed and approved by the Building Official and City Planning Department, prior to posting and shall indicate the dates and duration of construction activities, as

well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.

- Prior to issuance of any Grading or Building Permit, the Contractor shall provide evidence that a construction staff member will be designated as a Noise Disturbance Coordinator and will be present on-site during construction activities. The Noise Disturbance Coordinator is responsible for responding to local complaints about construction noise. When a complaint is received, the Noise Disturbance Coordinator shall notify the County within 24-hours of the complaint, determine the cause (e.g., starting too early, bad muffler, etc.), and implement reasonable measures to resolve the complaint as deemed acceptable by the Public Works Department.
- Prior to issuance of any Grading or Building Permit, the Master Developer and/or Site Developer, as applicable, shall demonstrate to the satisfaction of the County Engineer that construction noise reduction methods shall be used where feasible. These reduction methods include shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and electric air compressors and similar power tools.
- Construction haul routes shall be designed to avoid noise-sensitive uses (e.g., residences, convalescent homes, etc.) to the extent feasible.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- Construction of the Project would be limited to the daytime hours of construction permitted (between the hours of 7:00 a.m. to 7:00 p.m. and would not occur on Sundays or Federal holidays as stated in the County Building Code Standards (§ 150.003 Construction: Hours of Construction) (unless otherwise approved by the County), and nighttime lighting would only be required seasonally.

Mitigation Measures

There is no feasible mitigation to reduce the traffic noise impacts identified above.

Construction and Operational Noise Mitigation & Residual Impacts: On-site operational noise impacts would be less than significant, and no mitigation is required. However, off-site traffic noise levels would result in a significant and unavoidable impact. Potential mitigation measures would include the construction of sound walls, noise abatement design features at the existing sensitive residences (e.g., upgraded windows), and/or re-paving the impacted roadway segments with rubberized asphalt. However, the Project applicant (and the future Master Developer/Site Developers) does not have jurisdiction over the local roadways and/or existing residences to properly mitigate traffic noise impacts at the impacted receivers. No additional feasible mitigation measures are available that can reduce off-site mobile traffic noise impacts to a less than significant level.

Impact 4.13-2 *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

Level of Significance: Less than Significant Impact

Construction Vibration

Construction can generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. Construction on the Project site would have the potential to result in varying degrees of temporary groundborne vibration, depending on the specific construction equipment used and the operations involved.

The FTA has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 in/sec) appears to be conservative. The types of construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet.¹⁷ This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any construction vibration damage.

Table 4.13-14: Typical Construction Equipment Vibration Levels, lists vibration levels at 25 feet for typical construction equipment. Vibration levels at 40 feet (the distance from the Project boundary to the nearest existing structure) is also included in **Table 4.13-14**. Groundborne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. As indicated in **Table 4.13-14**, based on FTA data, vibration velocities from typical heavy construction equipment operations that would be used during Project construction range from 0.003 to 0.089 in/sec PPV at 25 feet from the source of activity.

The nearest off-site structure is located approximately 40 feet from the Project site boundary. As indicated in **Table 4.13-14**, vibration velocities from construction equipment at 40 feet would not exceed 0.0440 in/sec PPV, which is below the FTA's 0.20 in/sec PPV threshold for building damage and below the 0.10 in/sec PPV annoyance threshold. It is also acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest structure. Therefore, vibration impacts associated with Project construction would be less than significant.

¹⁷ Based on construction vibration reference levels provided in the FTA Transit Noise and Vibration Impact Assessment Manual, September 2018.

Table 4.13-14: Typical Construction Equipment Vibration Levels

Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Peak Particle Velocity at 40 Feet (in/sec) ¹
Large Bulldozer	0.089	0.0440
Caisson Drilling	0.089	0.0440
Loaded Trucks	0.076	0.0376
Jackhammer	0.035	0.0173
Small Bulldozer/Tractors	0.003	0.0015

Notes:

1. Calculated using the following formula: $PPV_{\text{equip}} = PPV_{\text{ref}} \times (25/D)^{1.5}$, where: PPV_{equip} = the peak particle velocity in in/sec of the equipment adjusted for the distance; PPV_{ref} = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 2018; D = the distance from the equipment to the receiver.
Source: Federal Transit Administration. 2018. *Transit Noise and Vibration Impact Assessment Manual*.

Operational Vibration

The Project would include truck movement activity at the Project site. These movements would generally be low-speed (i.e., less than 15 miles per hour) and would occur over new, smooth surfaces. For perspective, Caltrans has studied the effects of propagation of vehicle vibration on sensitive land uses and notes that “heavy trucks, and quite frequently buses, generate the highest earthborn vibrations of normal traffic.”¹⁸ Caltrans further notes that the highest traffic-generated vibrations are along freeways and state routes. Their study finds that “vibrations measured on freeway shoulders (five meters from the centerline of the nearest lane) have never exceeded 0.08 in/sec, with the worst combinations of heavy trucks and poor roadway conditions (while such trucks were moving at freeway speeds). This level coincides with the maximum recommended safe level for ruins and ancient monuments (and historic buildings).”¹⁹ Since the Project’s truck movements would be at low speed (not at freeway speeds) and would be over smooth surfaces (not under poor roadway conditions), Project-related vibration associated with truck activity would not result in excessive groundborne vibrations; no vehicle-generated vibration impacts would occur. In addition, there are no sources of substantial groundborne vibration associated with operation of the Project, such as rail or subways. The Project would not create or cause any vibration impacts due to operations.

Mitigation Measures

No mitigation is required.

Impact 4.13-3 *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?*

Level of Significance: Less than Significant Impact

The closest airport to the Project site is the Ontario International Airport located approximately four miles to the southwest. The Project is not within 2.0 miles of a public airport or within an airport land use plan. Additionally, there are no private airstrips located within the Project vicinity. Therefore, the Project would

¹⁸ California Department of Transportation. 2002. *Transportation Related Earthborne Vibrations*.

¹⁹ California Department of Transportation. 2013 *Technical Noise Supplement to the Traffic Noise Analysis Protocol (“TeNS”)*.

not expose people working in the Project area to excessive airport- or airstrip-related noise levels and no mitigation is required.

Mitigation Measures

No mitigation is required.

4.13.6 Cumulative Impacts

Cumulative Construction Noise

The Project's construction activities would not result in a substantial temporary increase in ambient noise levels. Construction noise would be periodic and temporary, and it would cease upon completion of construction activities. Further, based on the noise analysis above, the Project's construction-related noise impacts would be less than significant under the San Bernardino County Code and FTA methodology, and in compliance with SC NOI-1.

As indicated in **Table 4-1: Cumulative Projects List, Section 4.0: Environmental Impact Analysis**, there are several cumulative projects within the immediate vicinity of the Project site. The Project would contribute to other proximate construction project noise impacts if construction activities were conducted concurrently. However, construction activities at other planned and approved projects near the Project site would be required to comply with applicable County rules related to noise including limiting construction to daytime hours with no construction on Sundays or Federal holidays. Further, projects requiring County discretionary approvals would be required to evaluate construction noise impacts, comply with the County's standard conditions of approval, and implement mitigation, if necessary, to minimize noise impacts. Construction noise impacts are by nature localized. As discussed above, the Project's construction impacts were determined to be less than significant. Therefore, Project construction would not result in a cumulatively considerable contribution to a significant cumulative impact related to construction noise.

Cumulative Operational Noise

Cumulative Off-Site Traffic Noise

Cumulative noise impacts describe how much noise levels are projected to increase over existing conditions with the development of the proposed Project and other foreseeable projects. Cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to buildout of the proposed Project and other projects in the vicinity. Cumulative increases in traffic noise levels were estimated by comparing the Existing and Horizon Year Without Project scenarios to the Horizon Year Plus Project scenario. The traffic analysis in **Section 4.17: Transportation**, considers cumulative traffic from future growth assumed in the transportation model, as well as cumulative projects.

A project's contribution to a cumulative traffic noise increase would be considered significant when the combined effect exceeds perception level (i.e., auditory level increase) threshold. To analyze the Project's cumulative contribution to traffic noise levels in the Project area and in accordance with the *King and Gardiner Farms, LLC v. County of Kern et al.* (2020) court decision mandating absolute noise thresholds for

CEQA analyses, the following criteria is used to evaluate the combined and incremental effects of the cumulative noise increase.

- ***Combined Effect.*** The cumulative with Project noise level (“Horizon Year With Project”) would cause a significant cumulative impact if a 3.0 dB increase over “Existing” conditions occurs and the resulting noise level exceeds the applicable exterior standard at a sensitive use. Although there may be a significant noise increase due to the proposed Project in combination with other related projects (combined effects), it must also be demonstrated that the Project has an incremental effect. In other words, a significant portion of the noise increase must be due to the proposed Project.
- ***Incremental Effects.*** The “Horizon Year With Project” causes a 1.0 dBA increase in noise over the “Horizon Year Without Project” noise level.

A significant impact would result only if both the combined and incremental effects criteria have been exceeded. Noise by definition is a localized phenomenon and reduces as distance from the source increases. Consequently, only the proposed Project and growth due to occur in the general area would contribute to cumulative noise impacts.

AA Table 22: Cumulative Traffic Noise Levels identifies the traffic noise effects along roadway segments in the Project vicinity for “Existing,” “Horizon Year 2040 Without Project,” and “Horizon Year 2040 With Phases 1&2,” conditions, including incremental and net cumulative impacts.

AA Table 22 shows the volume of traffic generated by the Project would potentially meet the criteria for cumulative noise increases along several road segments. The noise levels along the following roadway segments result in combined effects and incremental effects:

- **Randall Avenue from Cherry Avenue to Beech Avenue.** Noise levels would be 67.6 dBA CNEL and would exceed the County’s 60 dBA CNEL noise standard for residential uses. There are numerous residences located along this segment of Randall Avenue that would be impacted. However, due to jurisdictional and access limitations, safety and maintenance issues, and cost, there are no feasible mitigation measures to reduce cumulative traffic noise impacts along this roadway segment. Impacts would be significant and unavoidable.
- **Randall Avenue from Beech Avenue to Citrus Avenue.** Noise levels would be 66.6 dBA CNEL and would exceed the County’s 60 dBA CNEL noise standard for residential uses. There are numerous residences located along this segment of Randall Avenue that would be impacted. However, due to jurisdictional and access limitations, safety and maintenance issues, and cost, there are no feasible mitigation measures to reduce cumulative traffic noise impacts along this roadway segment. Impacts would be significant and unavoidable.
- **Randall Avenue from Citrus Avenue to Sierra Avenue.** Noise levels would be 64.6 dBA CNEL and would exceed the County’s 60 dBA CNEL noise standard for residential uses. There are numerous residences located along this segment of Randall Avenue that would be impacted. However, due to jurisdictional and access limitations, safety and maintenance issues, and cost, there are no feasible mitigation measures to reduce cumulative traffic noise impacts along this roadway segment. Impacts would be significant and unavoidable.

- **San Bernardino Avenue from Etiwanda Avenue to Commerce Drive.** Noise levels would be 71.7 dBA CNEL; however, only industrial uses are located along this segment and the County does not employ traffic noise standards for industrial uses. Therefore, although traffic noise is anticipated to substantially increase along this roadway segment under Horizon Year 2040 With Phases 1&2 conditions, traffic noise levels would not exceed any applicable standards. Impacts along this segment would be less than significant.
- **San Bernardino Avenue from Commerce Drive to Cherry Avenue.** Noise levels would be 74.0 dBA CNEL; however, only industrial uses are located along this segment and the County does not employ traffic noise standards for industrial uses. Therefore, although traffic noise is anticipated to substantially increase along this roadway segment under Horizon Year 2040 With Phases 1 & 2 conditions, traffic noise levels would not exceed any applicable standards. Impacts along this segment would be less than significant.
- **Cherry Avenue from Foothill Boulevard to Arrow Route.** Noise levels would be 72.4 dBA CNEL and would exceed the County's 60 dBA CNEL noise standard for residential uses. There are numerous residences located along this segment of Cherry Avenue that would be impacted. However, due to jurisdictional and access limitations, safety and maintenance issues, and cost, there are no feasible mitigation measures to reduce cumulative traffic noise impacts along this roadway segment. Impacts would be significant and unavoidable.
- **Cherry Avenue from Arrow Route to Whittram Avenue.** Noise levels would be 72.6 dBA CNEL; however, only industrial uses are located along this segment and the County does not employ traffic noise standards for industrial uses. Therefore, although traffic noise is anticipated to substantially increase along this roadway segment under Horizon Year 2040 With Phases 1 & 2 conditions, traffic noise levels would not exceed any applicable standards. Impacts along this segment would be less than significant.
- **Cherry Avenue from Whittram Avenue to Merrill Avenue.** Noise levels would be 72.7 dBA CNEL and would exceed the County's 60 dBA CNEL noise standard for residential uses (there is one residence located at the northeast corner of Cherry Avenue and Merrill Avenue, while the remaining land uses consist of industrial and vacant land that do not have mobile traffic noise standards). However, due to jurisdictional and access limitations, safety and maintenance issues, and cost, there are no feasible mitigation measures to reduce cumulative traffic noise impacts along this roadway segment. Impacts would be significant and unavoidable.
- **Cherry Avenue from Merrill Avenue to Randall Avenue.** Noise levels would be 74.4 dBA CNEL; however, only industrial uses are located along this segment and the County does not employ traffic noise standards for industrial uses. Therefore, although traffic noise is anticipated to substantially increase along this roadway segment under Horizon Year 2040 With Phases 1 & 2 conditions, traffic noise levels would not exceed any applicable standards. Impacts along this segment would be less than significant.
- **Cherry Avenue from Randall Avenue to San Bernardino Avenue.** Noise levels would be 74.6 dBA CNEL and would exceed the County's 65 dBA CNEL noise standard for institutional/public uses (there is an Industrial Technical Learning Center [InTech]) to the west of Cherry Avenue along this segment), while the remaining land uses consist of industrial development that do not have mobile traffic noise standards). However, due to jurisdictional and access limitations, safety and

maintenance issues, and cost, there are no feasible mitigation measures to reduce cumulative traffic noise impacts along this roadway segment. Impacts would be significant and unavoidable.

- **Cherry Avenue from San Bernardino Avenue to Valley Boulevard.** Noise levels would be 73.7 dBA CNEL and would exceed the County's 60 dBA CNEL noise standard for residential uses (there are several residences to the east of Cherry Avenue along this segment, while the remaining land uses consist of industrial and commercial development that do not have mobile traffic noise standards). However, due to jurisdictional and access limitations, safety and maintenance issues, and cost, there are no feasible mitigation measures to reduce cumulative traffic noise impacts along this roadway segment. Impacts would be significant and unavoidable.

As discussed above, the Project would result in a cumulatively considerable contribution to a cumulatively significant operational traffic noise impact at several roadway segments in the Project area. There are no feasible mitigation measures to reduce off-site mobile traffic noise impacts. Therefore, a significant and unavoidable impact would occur in this regard.

Cumulative Stationary Noise

Stationary noise sources from the proposed Project would result in an incremental increase in non-transportation noise sources in the Project vicinity. However, as discussed above, operational noise from stationary sources caused by the proposed Project would be less than significant as operational noise would be within the County's standards. As stationary noise sources are generally localized, there is a limited potential for other projects to contribute to cumulative noise impacts in the Project vicinity. Given that noise dissipates as it travels away from its source, operational noise impacts from on-site activities and other stationary sources would be limited to the Project site and vicinity. Thus, cumulative operational noise impacts from related projects, in conjunction with Project specific noise impacts, would not be cumulatively significant.

Similar to the proposed Project, other planned and approved projects would also be required to mitigate for any potentially significant stationary noise impacts at nearby sensitive receptors, if necessary, and comply with applicable County regulations that limit operational noise. Therefore, the Project, together with other projects, would not create a significant cumulative impact, and even if there was such a significant cumulative impact, the Project would not make a cumulatively considerable contribution to significant cumulative operational noises. There are no feasible mitigation to reduce the cumulative traffic noise impacts identified above.

Cumulative Construction and Operational Noise Mitigation & Residual Impacts: Cumulative construction and on-site operational noise impacts would be less than significant, and no mitigation is required. However, cumulative off-site traffic noise levels would result in a significant and unavoidable impact. Potential mitigation measures would include the construction of sound walls, noise abatement design features at the existing sensitive residences, and/or pre-paving the impacted roadway segments with rubberized. However, the Project applicant (and the future Master Developer/Site Developers) does not have jurisdiction over the local roadways and/or existing residences to properly mitigate cumulative traffic noise impacts at the impacted receivers. No additional feasible mitigation measures are available that can reduce cumulative off-site mobile traffic noise impacts to a less than significant level.

4.13.7 Significant Unavoidable Impacts

The Project would result in a significant and unavoidable impact to off-site traffic noise generation (Impact 4.13-1). The Project would also result in a cumulatively considerable contribution to significant and unavoidable cumulative off-site traffic noise impacts.

4.13.8 References

- California Department of Transportation. 2002. *Transportation Related Earthborne Vibrations*.
- California Department of Transportation. 2013. *Technical Noise Supplement to the Traffic Noise Analysis Protocol ("TeNS")*.
- County of San Bernardino. 2020. *Countywide Plan, Policy Plan - Hazards Element*. <https://countywideplan.com/policy-plan/hazards/>.
- County of San Bernardino. 2021. *San Bernardino County, CA Code of Ordinances, current through Ord. 4424*. <https://codelibrary.amlegal.com/codes/sanbernardino/latest/overview>.
- Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden. 2015. *Noise Navigator Sound Level Database with Over 1700 Measurement Values*. <https://multimedia.3m.com/mws/media/8885530/noise-navigator-sound-level-hearing-protection-database.pdf>.
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- Federal Transit Administration. 2018. *Transit Noise and Vibration Impact Assessment Manual*. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf.
- Kariel, H. G. 1991. *Noise in Rural Recreational Environments, Canadian Acoustics 19(5), 3-10*. <file:///C:/Users/meghan.karadimos/Downloads/clecoq,+JCAA-Vol.19-No.5-1991-pp.005.pdf>.
- Kimley-Horn and Associates. 2022. *Acoustical Assessment*.
- Kimley-Horn and Associates. 2022. *Speedway Commerce Center II Specific Plan Project Traffic Impact Study*.
- Google Earth. 2021.

4.14 POPULATION AND HOUSING

4.14.1 Introduction

The purpose of this section is to describe the existing population and housing character of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project) area and evaluate the potential environmental consequences of future housing development or population growth that could occur by adopting and implementing the Project. This section includes a summary of the relevant regulatory setting necessary to evaluate potential environmental impacts resulting from the Project, describes potential impacts, and discusses existing and proposed goals, policies, and implementation programs and zoning regulations that would avoid or reduce those potential impacts. Information used to prepare this section includes resources from:

- California Department of Finance (DOF).
- Southern California Association of Governments (SCAG).
- County of San Bernardino (2020). *San Bernardino Countywide Plan*.
- County of San Bernardino (2019). *San Bernardino Countywide Plan Draft Environmental Impact Report*.
- United States Census Bureau (2019). *2019 America Community Survey*.

4.14.2 Environmental Setting

Population

The California DOF has produced population estimates for cities and counties within the State of California. The DOF population estimates are derived by multiplying the number of occupied housing units by persons per household. The persons per household estimates are based on 2010 Census benchmark data, which is the most recent data available. This census data includes the County of San Bernardino (County). The County's total population in 2021 was estimated to be 2,175,909 persons, as shown in Table 4.14-1.¹ Group quarters, included within the table, are places in which people live or stay with others like senior housing facilities and college dorm living areas. Group quarters are usually owned or managed by an entity, which houses the residents and provides other services such as medical care and custodial assistance. **Table 4.14-1: San Bernardino County Existing Population** summarizes the County's population in 2010, 2015, and 2021.

Table 4.14-1: San Bernardino County Existing Population

Unit	Existing			Change from 2010 to 2021	
	2010	2015	2021	Numeric	Percentage
Total Population	2,035,210	2,112,344	2,175,909	140,699	6.9%
Household Population	1,995,156	2,073,445	2,142,293	147,137	7.4%
Group Quarters	40,054	38,899	33,616	-6,438	-16.1%
Persons per Household	3.26	3.31	3.30	0.04	1.2%

Source: California DOF. 2021. *Table 1: E-5 City/County Population and Housing Estimates*. Sacramento, CA: Department of Finance.
<https://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-5>.

¹ California DOF. 2021. *E-5 City/County Population and Housing Estimates*. Sacramento, CA: Department of Finance.

The County's total population and household populations have changed by approximately seven percent in the last 11 years while group quarter populations have decreased by approximately 16 percent. Despite these varied population changes, the County's average household size has remained largely consistent, only increasing by approximately 1.2 percent over 10 years.

Future population growth is provided by SCAG in their 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The SCAG RTP/SCS provides the goals and policies which guide growth within the region including growth projections for the region's cities and counties. The County is a member agency within SCAG along with Imperial, Los Angeles, Orange, Riverside, and Ventura counties. **Table 4.14-2: San Bernardino County Projected Population**, summarizes both the DOF's existing population estimates as of 2021, and the SCAG projections for the County for the years 2030, 2035, and 2045.

Table 4.14-2: San Bernardino County Projected Population

Unit	Existing	Projected			Change 2021 to 2045	
	2021	2030	2035	2045	Numeric	Percentage
Total Population	2,175,909	2,474,000	2,595,000	2,815,000	225,741	29.4%
Households	649,259	751,000	793,000	875,000	225,741	34.8%
Sources: California DOF. 2021. <i>E-5 City/County Population and Housing Estimates</i> . Sacramento, CA: Department of Finance. https://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-5/						
SCAG. 2020. <i>Current Context Demographics and Growth Forecast Technical Report</i> . Page 29. Los Angeles, CA: SCAG						

Population within the County is anticipated to continue increasing through 2045 by approximately 29 percent compared to the estimated population of the County in 2021. This is over four times the rate of total population growth experienced by the County from 2010 to 2021. Households are also expected to increase by approximately 35 percent by the year 2045. This rate of growth is also more than four times the rate of household population growth experienced from 2010 through 2021.

Households and Housing

Housing estimates are calculated using the existing housing units in a city or jurisdiction as the baseline housing stock and adding any new residential construction projects and land annexations while subtracting any residential unit demolitions. This updated value then defines the city or jurisdiction's estimated housing units. As shown in **Table 4.14-1: San Bernardino County Existing Population**, the County was estimated to contain 649,259 households with an average household size of 3.30 persons in 2021. These households occupy various residence types throughout the County. **Table 4.14-3: Housing Types within San Bernardino County** summarizes the housing types within the County and their estimated occupancies as of 2021.

Table 4.14-3: Housing Types within San Bernardino County

Single Detached	Single Attached	Two to Four	Five Plus	Mobile Homes	Total Units	Total Occupied Units
519,431	25,253	46,516	95,270	44,046	730,516	649,259
Source: California DOF. 2021. <i>Table 2:E-5 City/County Population and Housing Estimates</i> . Sacramento, CA: Department of Finance.						

As shown in **Table 4.14-3: Housing Types within San Bernardino County**, 649,259 housing units out of the 730,516 total housing units are occupied, leaving 81,257 housing units unoccupied. Therefore, the County maintained a vacancy rate of approximately 11 percent in 2021.

The County's average household size of 3.30 persons was applied to the total occupied units which led to the estimation of 2,142,293 persons living within households. The remaining 33,616 persons of the estimated total population are classified as occupying group quarters. Unlike with other households shown in **Table 4.14-1: San Bernardino County Existing Population**, residents of group quarters are often unrelated.² Group quarter information is reported by federal, state, and local agencies.

Employment

The United States Census Bureau (USCB) has provided the employment estimates for the County through the 2019 America Community Survey 5-Year Estimates Data Profile. The County was estimated to contain a total civilian labor force population of 990,400 people. Of this, 914,514 were employed.³ The County employment data provided by the America Community Survey is summarized in **Table 4.14-4: San Bernardino County Employment by Industry (2019)** below.

Table 4.14-4: San Bernardino County Employment by Industry (2019)

Industry	Amount	Percent of Workforce
Agriculture, forestry, fishing and hunting, and mining	6,472	0.7%
Construction	68,852	7.5%
Manufacturing	77,595	8.5%
Wholesale trade	30,425	3.3%
Retail trade	117,137	12.8%
Transportation and warehousing, and utilities	92,078	10.1%
Information	11,123	1.2%
Finance and insurance, and real estate and rental leasing	42,448	4.6%
Professional, scientific, management, and administrative services	87,366	9.6%
Education services, health care, and social assistance	200,674	21.9%
Arts, entertainment, recreation, accommodation, and food services	84,646	9.3%
Other services (except public administration)	46,773	5.1%
Public Administration	48,925	5.3%
Total	914,514	100%

Source: United States Census Bureau. 2019. 2019 America Community Survey 5-Year Estimates Data Profiles. Industry by Occupation for the Civilian Employed Population 16 Years and Over.
<https://data.census.gov/cedsci/table?t=Employment&g=0500000US06071&tid=ACSST5Y2019.S2405> (accessed September 2021)

Education services, health care, and social assistance occupations make up the largest percentage of County's 914,514-person workforce (21.9 percent). The lowest percentage of the County's workforce has occupations within the Agriculture industry (0.7 percent). In 2019, the County's employment totaled 914,514 jobs. When compared to the 2021 total housing units of 730,516 units (see **Table 4.14-3: Housing Types within San Bernardino County**), this leads to a jobs-to-housing ratio of 1.3:1.⁴ This means that in

² USCB. 2019. *Group Quarters Information*. <https://www.census.gov/newsroom/blogs/random-samplings/2021/03/2020-census-group-quarters.html> (accessed September 2021).

³ USCB. 2019. *2019 America Community Survey 5-Year Estimates Data Profiles*. Selected Employment Characteristics. <https://data.census.gov/cedsci/table?t=Employment&g=0500000US06071&tid=ACSDP5Y2019.DP03&hidePreview=false> (accessed September 2021).

⁴ California DOF. 2021. *E-5 City/County Population and Housing Estimates*. Sacramento, CA: Department of Finance.

2019, there were 1.3 jobs for every housing unit in the County. A jobs-to-housing ratio greater than one implies there is suitable housing available in the area to accommodate the workforce.

According to the 2020-2045 RTP/SCS, the County is projected to experience an increase in employment of 149,486 by 2045 for a total of 1,064,000 jobs.⁵ The County is also projected to experience an increase of 875,000 housing units. This would create a jobs-to-housing ratio of approximately 1.3:1, the same as in 2019.⁶ The County experienced a 7.7 percent unemployment rate in 2019.⁷ Although there are suitable housing units in the County, additional job creation in the County would support a better balance of jobs-to-housing ratio.

4.14.3 Regulatory Setting

State

California Planning and Zoning Law

California planning and zoning law require each city and county to adopt a general plan for future growth (California Government Code [CGC] § 65300). This plan must include a housing element that identifies housing needs for all economic segments and provides opportunities for housing development to meet that need. At the state level, the Housing and Community Development Department (HCD) estimates the relative share of California's projected population growth in each county based on California DOF population projections and historical growth trends. These figures are compiled by HCD in a Regional Housing Needs Assessment (RHNA) for each region of California. The RHNA is a tool used for the SCAG and its member local governments in planning for growth. The RHNA quantifies the need for all types of housing to accommodate all income brackets within each jurisdiction. Communities then plan, consider, and decide how they will address this need through the process of completing the housing elements of their general plans. The RHNA does not necessarily encourage or promote growth but allows communities to prepare for growth in a way that enhances quality of life and mobility; improves access to jobs, transportation, and housing; and in a way that would not adversely impact the environment.

State law recognizes the vital role that local governments play in the supply and affordability of housing. To that end, the CGC requires that the housing element achieve legislative goals to:

- Identify adequate sites to facilitate and encourage the development, maintenance, and improvement of housing for households of all economic levels, including persons with disabilities.
- Remove, as legally feasible and appropriate, governmental constraints to the production, maintenance, and improvement of housing for persons of all incomes, including those with disabilities.
- Assist in the development of adequate housing to meet the needs of low- and moderate-income households.

⁵ SCAG. 2020. *Current Context Demographics and Growth Forecast*. Page 29. Los Angeles, CA: SCAG

⁶ Ibid.

⁷ USCB. 2019. *2019 America Community Survey 5-Year Estimates Data Profiles*. Selected Employment Characteristics. Retrieved from: <https://data.census.gov/cedsci/table?t=Employment&g=0500000US06071&tid=ACSDP5Y2019.DP03&hidePreview=false> (accessed September 2021).

- Conserve and improve the condition of housing and neighborhoods, including existing affordable housing. Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.
- Preserve for lower-income households the publicly assisted multifamily housing developments in each community.

California housing element laws (CGC §§ 65580–65589) require that each city and county identify and analyze existing and projected housing needs within its jurisdiction and prepare goals, policies, and programs to further the development, improvement, and preservation of housing for all economic segments of the community commensurate with local housing needs.

Regional

Southern California Association of Governments and Regional Housing Needs Assessment

SCAG is a council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. SCAG is the federally recognized metropolitan planning organization (MPO) for this region, which encompasses over 38,000 square miles. It serves as a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG develops, refines, and maintains SCAG's regional and small area socio-economic forecasting/allocation models. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the southern California region's MPO, SCAG cooperates with the South Coast Air Quality Management District, the California Department of Transportation, and other agencies in preparing regional planning documents. The socioeconomic estimates and projections are used for federal and state-mandated long-range planning efforts such as the RTP/SCS, the Air Quality Management Plan, the Federal Transportation Improvement Program, and the RHNA.

Regional Transportation Plan/Sustainable Communities Strategy

On September 3, 2020, SCAG adopted the 2020-2045 RTP/SCS, which places a greater emphasis than ever on sustainability and integrated planning. The 2020-2045 RTP/SCS vision encompasses a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The 2020-2045 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to comply with Senate Bill 375, improve public health, and meet the National Ambient Air Quality Standards. This long-range plan, required by the state and the federal government, is updated by SCAG every four years as demographic, economic, and policy circumstances change. The 2020-2045 RTP/SCS is a living, evolving blueprint for the region's future.

Local

The Countywide Plan

The County adopted the Countywide Policy Plan (Policy Plan) in October 2020. The Policy Plan provides an update of the County's General Plan addressing physical, social and economic issues facing the unincorporated portions of the County. A relevant goal and policy from the San Bernardino County Policy Plan include:

Goal H-2 **Neighborhoods that protect the health, safety, and welfare of the community, and enhance public and private efforts in maintaining, reinvesting in, and upgrading the existing housing stock.**

Policy H-3.1 We support the provision of adequate and fiscally sustainable public services, infrastructure, open space, non-motorized transportation routes, and public safety for neighborhoods in the unincorporated area.

San Bernardino Council of Governments

The purpose of the San Bernardino Council of Governments (SBCOG) is to speak with a collective voice on important issues that affect its member agencies. Representatives from 24 cities and towns, and the San Bernardino County Board of Supervisors have a seat on the SBCOG Board of Directors. This governing board sets policy for the organization.

Recognizing that many issues and concerns are not constrained by political boundaries, SBCOG focuses on regional matters. SBCOG provides a forum to reduce duplication of effort and to share information.⁸

4.14.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning population and housing. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on population and housing if it would:

- Include 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); and/or
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Methodology

The Project's demographics were examined in the context of existing and projected population for the County and consistency with relevant planning documents is considered. Information on population, housing, and employment for the Project area is available from several sources including the 2020-2045 RTP/SCS and population and housing data from the DOF and America Community Survey.

Approach to Analysis

This analysis examines the Project's potential impacts on population and housing based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

⁸ San Bernardino County Transportation Authority. 2021. *About SBCOG*. <https://www.gosbcta.com/sbcog/about-cog/> (accessed September 2021).

The baseline conditions and impact analyses are based on review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in “significant” adverse effects on population and housing considers the established population and housing plans for the County and reviews any deviation from these plans in the analysis of the Project.

4.14.5 Impacts and Mitigation Measures

Impact 4.14-1 *Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Level of Significance: Less than Significant Impact

Construction and Operations

The Project would not introduce new population or housing to the Project site. Development would include high-cube logistics, e-commerce, and ancillary commercial land uses; it would result in jobs for residents in the surrounding area but would not directly generate additional housing. The Project is proposed to be developed on land that has been previously disturbed and developed with existing buildings and structures used for commercial/entertainment purposes.

Construction of the Project would generate temporary employment opportunities, including short-term design, engineering, and construction jobs. Construction related jobs would not result in a significant population increase because those jobs are temporary in nature and are expected to be filled by persons within the local area. This expectation is based, among other things, on the County’s 7.7 percent unemployment rate.⁹ Furthermore, the small percentage of skilled and managerial construction-related positions could either be filled by the local workforce or by persons from the larger region. Therefore, Project construction would not directly or indirectly induce substantial, unplanned population growth in the County resulting in a less-than-significant impact.

Future operation of the Project would include employment of new workers. This would directly impact the area by creating new job opportunities. The published SCAG Employment Density Report was used to estimate potential employment levels for the Project. Although a majority of the Project’s proposed seven building sites would be comprised of high-cube logistics and e-commerce uses, the Project would also include approximately 261,360 square feet (sf) of ancillary commercial uses. Therefore, in order to fully assess potential impacts, the Project is analyzed in a scenario where 96 percent of the Project’s building area is developed with high-cube logistics/e-commerce uses, and four percent is developed with ancillary commercial uses. **Table 4.14-5: Project Employment Generation** summarizes the anticipated employment by land use type based on the employment generation rates from the SCAG Employment Density Report.

⁹ USCB. 2019. 2019 America Community Survey 5-Year Estimates Data Profiles. Selected Employment Characteristics. <https://data.census.gov/cedsci/table?t=Employment&g=0500000US06071&tid=ACSDP5Y2019.DP03&hidePreview=false> (accessed September 2021).

Table 4.14-5: Project Employment Generation

Land Use	Generation Rate	Project SF	Employment Generation
Proposed Land Use Ratio (96% Warehouse, 4% Commercial)			
Other Commercial/Retail/Svc. ¹	1 employee/432 sf	261,360	605 employees
High-Cube Logistics/E-commerce ²	1 employee/2,111 sf	6,600,000	3,127 employees
Total			3,732
Source: SCAG. 2001. Employment Density Report. Page 4. Los Angeles, CA: SCAG. 1. Standard rate applied to the Project's 261,360 sf of ancillary commercial. 2. Standard rate applied to the Project's 6,600,000 sf of high-cube logistics and e-commerce.			

The Project's planned development strategy of four percent ancillary commercial retail and 96 percent high-cube logistics/e-commerce uses would generate a total of 3,732 new employees. This would comprise approximately 0.4 percent of the County's 2019 workforce. These jobs could be filled by unemployed County residents, given the County's existing unemployment rate of 7.7 percent. Specifically, the commercial portion of the Project would comprise approximately 0.5 percent of the County's commercial workforce (listed as Retail Trade in **Table 4.14-4: San Bernardino County Employment by Industry (2019)**), and the high-cube logistics/e-commerce portion would comprise approximately 3.5 percent of the County's warehousing workforce (see **Table 4.14-4: San Bernardino County Employment by Industry (2019)** above). In the event that all the new jobs created would be filled by new workers moving to the County, the 3,732-person workforce would generate a 0.17 percent increase in the County's 2021 population. This growth rate would be well within the projections of the SCAG 2020-2045 RTP/SCS and could be accommodated by existing housing within the County. Therefore, it is unlikely the Project would directly or indirectly induce substantial, unplanned population growth in the County. Thus, the impact is less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.14-2 *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

Level of Significance: No Impact

Construction and Operations

The Project would be developed on a site that has been previously disturbed and developed with commercial/entertainment infrastructure and does not include any residential units. Currently the site is home to a two-mile racetrack with three pit garages, viewing suites, access ways, and associated facilities. Also, a midway with restaurants and entertainment and display facilities are located south of the grandstand. The facility also has a motorcycle track, drag strip, and exterior cart track. Other ancillary buildings associated with the event center are also located on site including a race control tower, administration buildings, maintenance building, helipads, fueling islands, and utility infrastructure. These facilities and structures would be demolished and redeveloped through the construction of the Next Gen short-track and the Project. The Project site is surrounded by railroad and warehouses/high-cube logistics to the north, light industrial to the south, warehouses/high-cube logistics and commercial use to the east, and warehouses/high-cube logistics and light industrial to the west. The nearest residential land uses by

the Project site include single family residential units 410 feet to the northeast. Other residential units are separated by existing nonresidential uses.

Due to the existing commercial/entertainment land uses present on the Project site, the reuse of the Project site would not displace people or housing or necessitate the development of new housing elsewhere. While the Project would generate short-term changes in employment during construction activities and long-term operational jobs, these changes would not displace substantial numbers of existing people or housing because the Project site does not include any residences or support a residential population. As a result, there would be no impacts related to the displacement of substantial numbers of people or housing and no mitigation is required.

Mitigation Measures

No mitigation is required.

4.14.6 Cumulative Impacts

The area considered for cumulative impacts is buildout of the County. Impacts are analyzed using projections in the 2020-2045 RTP/SCS Growth Forecast. The County's Countywide Plan EIR concluded that cumulative impacts to population and housing would be less than significant. As concluded above, Project implementation would have a less-than-significant impact on the County's population and housing resources. Development of the Project would not contribute to a substantial cumulative countywide increase in population and/or housing, as the Project would further improve the jobs-housing balance in the region and would not necessitate a substantial increase in population or housing demand. Furthermore, the Project would encourage alignment with objectives set by SCAG's RTP/SCS and the Countywide Plan Housing Element as it would increase job opportunities in a previously underdeveloped area. Therefore, implementation of the Project would not contribute to an existing cumulative impact, resulting in a less than significant cumulative impact.

4.14.7 Significant Unavoidable Impacts

No significant and unavoidable impacts concerning population and housing have been identified.

4.14.8 References

California Department of Finance (DOF). (2021). *E-5 City/County Population and Housing Estimates, 1/1/20*. Sacramento, CA: Department of Finance. Retrieved from: <https://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-5/>.

Southern California Association of Governments (SCAG). (2020). *Current Context Demographics and Growth Forecast*. Page 29. Los Angeles, CA: SCAG

Southern California Association of Governments (SCAG). (2021). *SCAG 6th Cycle Final RHNA Allocation Plan*. <https://scag.ca.gov/sites/main/files/file-attachments/6th-cycle-rhna-final-allocation-plan.pdf?1625161899>.

Southern California Association of Governments (SCAG). (2001). *Employment Density Report*. Page 4. Los Angeles, CA: SCAG

United States Census Bureau. (2019). *2019 America Community Survey 5-Year Estimates Data Profiles. Industry by Occupation for the Civilian Employed Population 16 Years and Over*. Retrieved from: <https://data.census.gov/cedsci/table?t=Employment&g=0500000US06071&tid=ACSST5Y2019.S2405>.

United States Census Bureau. (2019). *2019 America Community Survey 5-Year Estimates Data Profiles. Selected Employment Characteristics*. Retrieved from: <https://data.census.gov/cedsci/table?t=Employment&g=0500000US06071&tid=ACSDP5Y2019.DP03&hidePreview=false>.

United States Census Bureau. (2019). *Group Quarters Information*. Retrieved from: <https://www.census.gov/newsroom/blogs/random-samplings/2021/03/2020-census-group-quarters.html>.

4.15 PUBLIC SERVICES

4.15.1 Introduction

This section of the EIR identifies and analyzes the Speedway Commerce Center II Specific Plan (SCCIISP) Project's (Project) potential impacts in relation to public services by identifying anticipated demands and evaluating the relationship to both existing and planned public services facilities and availability, within the County of San Bernardino (County). For the purposes of this EIR, the general term "public services" includes police protection, fire protection, schools, parks, and library services. Information used to prepare this section includes resources from:

- County of San Bernardino (2020). *San Bernardino Countywide Plan*.
- County of San Bernardino (2019). *San Bernardino Countywide Plan Draft Environmental Impact Report*.
- Other public resources readily available.

4.15.2 Environmental Setting

Police Protection

The San Bernardino County Sheriff's Department (SBCSD) provides police services for the Project site. SBCSD provides a full range of specialty and support services that would not be available in small municipal police departments, including: Homicide Investigations, Helicopter Patrol, Narcotics Investigations, Special Enforcement Team (SWAT), Media Relations, Crime Lab Services, and Bomb and Arson Teams, among others. The SBCSD serves over 2.1 million residents, with eight County and 14 contract patrol stations and approximately 3,600 employees and over 1,800 volunteers who donate 1.5 million hours annually.¹ Within the County, there is one police department per 55,821 people, and one police department per 527 square miles.² Per personal communication with SBCSD staff, the County does not have a service standard for number of sheriff personnel per population and service is provided through watch stations patrol area radius.³ The SBCSD's dispatch center takes in approximately 1,014,509 calls for service annually, with deputies writing approximately 102,271 reports annually.⁴ The nearest SBCSD station to the Project site measured from the northeast corner of the site is the Fontana Station located at 17780 Arrow Boulevard, Fontana, CA 92335, approximately 4.6 miles to the east.

Currently, SBCSD personnel are available during events located at the Auto Club Speedway (ACS), providing security and fast response to incidents during events with large crowds and capacity. The Fontana Station coordinates and supervises race events. Deputies, dispatchers, and equipment from other Sheriff divisions are available to provide additional support, if needed. Preparation for the larger events

¹ SBCSD. 2022. *About Us*. <https://wp.sbcounty.gov/sheriff/about-us/> (accessed April 2022).

² County Office. 2022. *Police Departments in San Bernardino County, California*. <https://www.countyoffice.org/ca-san-bernardino-county-police-department/#:~:text=There%20is%201%20Police%20Department,Police%20Departments%20per%20square%20mile> (accessed April 2022).

³ Personal communication via telephone with Detective, Mark Reynoso, of the San Bernardino County Sheriff Department on April 12, 2022 (telephone).

⁴ SBCSD. 2022. *About Us*. <https://wp.sbcounty.gov/sheriff/about-us/> (accessed April 2022).

begins months in advance and once the gates are opened, Sheriff's personnel man the venue twenty-four hours a day for four days.⁵

According to the SBCSD, in 2020, the Fontana Patrol Station had 28 patrol deputies serving the surrounding population of 84,492; this averages to one patrol deputy per 3,018 residents.⁶ Currently, the Fontana Patrol Station has a contingent of 40 sworn officers of various ranks and responsibilities and a fleet of 16 marked patrol vehicles and 10 unmarked emergency vehicles.⁷ In the area surrounding the ACS that lies within the Fontana Station's service areas, over the last three years there has been a yearly average of 10,329 service calls and 1,041 reports filed.⁸ With response times for Emergency Responses averaging 9:30 minutes and Priority 1 calls averaging 14:30 minutes, respectively.⁹ During events at the ACS, the SBCSD assigns personnel on an as needed basis and will often call-in officers from surrounding stations to complement the personnel at the Fontana Patrol Station.

Fire Protection

Fire protection services are provided by the San Bernardino County Fire Department (SBCFD) for the Project site. The SBCFD provides a wide range of services including but not limited to community safety training, fire code enforcement, hazardous materials management, alert and warning systems, firefighting, and emergency medical services.

The nearest SBCFD station to the Project site, measured from the northeast corner of the site, is County Fire Station 73 located at 8143 Banana Avenue, Fontana, CA 92335, approximately 1.4 miles to the north. The next closest Fire Station is County Fire Station 72 located at 15380 San Bernardino Avenue, Fontana, CA 92335, approximately 2.3 miles to the southeast. Station 72 currently has 15 fire personnel assigned and one fire engine. As of 2021, Station 72 received a total of 72 calls for fire related incidents, with an average fire-related call response time of 5 minutes and 32 seconds.¹⁰ Station 73 currently has 15 fire personnel assigned and one fire engine. As of 2021, Station 73 received a total of 255 calls for fire related incidents, with an average fire-related call response time of 4 minutes and 58 seconds.¹¹ Station 73 currently has one fire engine truck and one Medical/Rescue Squad. The fire engine is manned by three persons and the Medical/Rescue Squad is manned by two persons. Station 73 is also the Hazmat response station for the region and Station 72 is the technical rescue station for the region. The SBCFD strives to have a response time of less than five minutes once a call for service is received.¹²

Additionally, urban structural fires are relatively uncommon in the Project vicinity and surrounding communities. Between the dates of July 1, 2021 and October 31, 2021, for Division 1 (West Valley) of the SBCFD there have been 11,646 total calls for service. Only 94 of these calls have been for structural fires, representing 0.81 percent of all service calls. Structural fires represent 16.8 percent of all fire incident

⁵ SBCSD. 2021. *Fontana Patrol Station*. <https://wp.sbcounty.gov/sheriff/patrol-stations/fontana/> (accessed October 2021).

⁶ San Bernardino County. 2020. *2020 Overall Department Workload Summary*. <https://wp.sbcounty.gov/sheriff/wp-content/uploads/sites/17/2020-Overall-Department-Workload-Summary.pdf> (accessed April 2022).

⁷ Personal communication via telephone with Sergeant Matthew Peterson, of the San Bernardino County Sheriff Department on October 12, 2021 (telephone).

⁸ Ibid.

⁹ Ibid.

¹⁰ Lockwood, Lauri. *San Bernardino County Fire Department – Division 1 HQ*. April 5, 2022. Personal communication (email).

¹¹ Ibid.

¹² Personal communication via telephone with Captain Lester Kaita of the San Bernardino County Fire Department on October 12, 2021.

related calls in Division 1 totaling 560 fire incidents. These fire incidents include structural fires, vegetation fires, vehicle fires, and all other fires.¹³

Schools

The Project site lies within the Fontana Unified School District (FUSD). The nearest elementary schools to the Project site are Redwood Elementary School, 0.47 miles to the northeast; Almond Elementary School, 0.92 miles to the north; Live Oak Elementary School, 0.92 miles to the southeast; and Beech Avenue Elementary School, 1.03 miles to the east. The nearest middle schools to the Project site are Sequoia Middle School, 1.01 miles to the southeast; and Truman Middle School, 2.45 miles to the southeast. The nearest high schools to the Project site are Fontana High School, 2.17 miles to the east; and Henry J. Kaiser High School, 2.87 miles to the south.

Parks

San Bernardino County Regional Parks Department manages a total of 8,515 acres of regional parks in all County regions: Valley Region, Mountain Region, North Desert Region, and East Desert Region. There are numerous County special districts that operate local parks in many unincorporated communities. These districts operate independently from the County government and are financed by local taxes within each respective district boundary. County Service Areas (CSAs) are separate legal entities authorized by California laws and formed by the County Board of Supervisors to fund the County's provision of services, capital improvements, and provide financial flexibility. San Bernardino County Regional Parks is dedicated to providing County residents and visitors with opportunities to host and participate in innovative and diverse recreational and educational events, while protecting the County's natural, cultural, historical, and land resources.¹⁴ The County offers six acres of park land for every 1,000 residents, which is twice the State standard.¹⁵ The Project site is within the County's Valley Region immediately east of Rancho Cucamonga and west of Fontana. Parks in this region serve unincorporated portions of the County along with Valley cities, including Fontana, Rancho Cucamonga, Rialto, and Colton. Multiple parks are located nearby the Project site, the nearest being Patricia Murray Park. The 1.8-acre Patricia Murray Park is a City of Fontana park. Park amenities include a playground, benches, a perimeter path, and a picnic park shelter. No State or Federal parks, preserves, forests, or monuments are within this unincorporated portion of the County.¹⁶ The closest Regional Park to the Project site is the Cucamonga-Guasti Regional Park, located approximately four miles southwest of the Project site. Further detail is given on recreational amenities provided within the County of San Bernardino in **Section 4.16: Recreation** of this Draft EIR.

Libraries

There are two libraries within the vicinity of the Project site. The Rancho Cucamonga Public Library at 12505 Cultural Center Drive, Rancho Cucamonga, CA 91739, approximately 4.1 miles to the northwest

¹³ San Bernardino County Fire Protection District. 2021. *Division 1 (West Valley) Statistics*. <https://sbcfire.org/statistics/#div1-anchor> (accessed October 2021).

¹⁴ San Bernardino County Regional Parks. 2022. *About Us*. <https://parks.sbcounty.gov/about-us/> (accessed April 2022).

¹⁵ San Bernardino County. 2022. San Bernardino Countywide Vision. <https://cms.sbcounty.gov/cao-vision/Elements/QualityofLife.aspx> (accessed April 2022).

¹⁶ County of San Bernardino. 2020. *NR-2 Parks and Open Space Resources*. <https://www.arcgis.com/apps/webappviewer/index.html?id=5595acba44fd4509830282e4417f7c9e> (accessed September 2021).

and the Kaiser Branch Library that is part of the San Bernardino County Library system located at 11155 Almond Avenue, Fontana, CA 92337, approximately 3.2 miles to the south. The San Bernardino County Library system manages and maintains 33 different public libraries across the County.¹⁷

4.15.3 Regulatory Setting

Federal

Federal Emergency Management Act

In March 2003, the Federal Emergency Management Act (FEMA) became part of the U.S. Department of Homeland Security. FEMA's continuing mission is to lead the effort to prepare the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

Fire Prevention and Control Act of 1974

The Federal Fire Prevention and Control Act of 1974 was created to reduce the nation's losses caused by fire through better fire prevention and control, supplement existing programs of research, training, and education, and to encourage new and improved programs and activities by State and local governments. In addition, the act established the U.S. Fire Administration and the Fire Research Center within the Department of Commerce. The Fire Prevention and Control Act established an intensified program of research into the treatment of burn and smoke injuries and the rehabilitation of victims of fires within the National Institutes of Health.

Occupational Safety and Health Administration

The Occupational Safety and Health Administration's (OSHA) mission is to "assure safe and healthy working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education and assistance." The agency is also charged with enforcing a variety of whistleblower statutes and regulations.

Emergency Action Plan

All businesses are required under OSHA standards to prepare an emergency action plan (EAP) kept in the workplace that provides procedures to be followed by all employees for reporting a fire or other emergency and emergency evacuation, including type of evacuation and exit route assignments. Employers are required to have and maintain an employee alarm system, provide training, and review the EAP with each employee covered by the plan.

Fire Prevention Plan

Businesses are required under OSHA standards to prepare a fire prevention plan that, at a minimum, must include procedures to control accumulations of flammable and combustible waste materials, and for regular maintenance of safeguards installed on heat-producing equipment to prevent the accidental

¹⁷ San Bernardino County Library. 2021. *Library Locations*. <http://www.sbclib.org/LibraryLocations.aspx> (accessed October 2021).

ignition of combustible materials. Furthermore, the fire prevention plan must contain the names and/or job titles of employees responsible for maintaining equipment to prevent or control sources of ignition or fires, and for the control of fuel source hazards.

Disaster Mitigation Act of 2000

This Act (42 United States Code [USC] § 5121) was signed into law to amend the Robert T. Stafford Disaster Relief Act of 1988 (42 USC § 5121-5207). Among other things, this legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and is aimed primarily at the control and streamlining of the administration of federal disaster relief and programs to promote mitigation activities.

Some of the major provisions of this Act include:

- i. Funding pre-disaster mitigation activities;
- ii. Developing experimental multi-hazard maps to better understand risk;
- iii. Establishing state and local government infrastructure mitigation planning requirements;
- iv. Defining how states can assume more responsibility in managing the hazard mitigation grant program; and
- v. Adjusting ways in which management costs for projects are funded.

The mitigation planning provisions outlined in § 322 of this Act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation [AIM]) to be included in county government plans. Counties that fail to develop an infrastructure mitigation plan may have their federal share of damage assistance reduced from 75 percent to 25 percent if the facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 (42 USC 12181) prohibits discrimination on the basis of disability in public accommodation and state and local government services. Under the ADA, the Architectural and Transportation Barriers Compliance Board issues guidelines to ensure that facilities, public sidewalks, and street crossings are accessible to individuals with disabilities. Public play areas, meeting rooms, park restrooms, and other buildings and park structures must comply with ADA requirements.

International Fire Code

The International Fire Code (IFC) regulates minimum fire safety requirements for new and existing buildings, facilities, storage, and processes. The IFC includes general and specialized technical fire and life safety regulations addressing fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, use and storage of hazardous materials, protection of emergency responders, industrial processes, and many other topics. The IFC is issued by the International Code Council, an international organization of building officials.

State

California Penal Code

All law enforcement agencies within the State of California are organized and operated in accordance with the applicable provisions of the California Penal Code. This code sets forth the authority, rules of conduct, and training for peace officers. Under state law, all sworn municipal and county officers are state peace officers.

2019 California Building Standards Code

California building standards are published in the California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code (CBSC). The CBSC, which applies to all applications for building permits, consists of 12 parts that contain administrative regulations for the California Building Standards Commission and for all State agencies that implement or enforce building standards. Local agencies must ensure the development complies with the guidelines contained in the CBSC. Cities and counties have the ability to adopt additional building standards beyond the CBSC including the CBSC Part 2, named the California Building Code (CBC) which is based upon the 2018 International Building Code, and Part 11, named the California Green Building Standards Code, also called the CalGreen Code. The CBSC went into effect on January 1, 2020.

2019 California Fire Code

CCR Title 24, Part 9 (2019 California Fire Code [CFC]) contains regulations relating to construction and maintenance of buildings, the use of premises, and the management of wildland-urban interface areas, among other issues. The CFC is updated every three years by the California Building Standards Commission and was last updated in 2019 (adopted December 3, 2019). The CFC sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. It contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the CFC also include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. Development under the Project would be subject to applicable regulations of the CFC.

Title 8, California Code of Regulations §§ 1270 and 6773

In accordance with CCR, Title 8 § 1270 “Fire Prevention” and § 6773 “Fire Protection and Fire Equipment,” the California Occupational Safety and Health Administration (Cal-OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

Mitigation Fee Act

The California Mitigation Fee Act (California Government Code [CGC] § 66000 et seq.) mandates procedures for administration of impact fee programs, including collection and accounting, reporting, and refunds. A development impact fee is a monetary exaction other than a tax or special assessment that is charged by a local governmental agency to an applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project.

California Health and Safety Code

State fire regulations are set forth in California Health and Safety Code § 13000 et seq., and include provisions concerning building standards, fire protection and notification systems, fire protection devices, and fire suppression training, as also set forth in the 2019 CBSC and related updated codes.

Assembly Bill 2926, California Government Code § 65995, California Education Code § 17620, and SB 50

California has traditionally been responsible for the funding of local public schools. To assist in providing facilities to serve students generated by new development projects, the State passed Assembly Bill 2926 (AB 2926) in 1986. This bill allowed school districts to collect impact fees from developers of new residential and commercial/industrial building space. Development impact fees were also referenced in the 1987 Leroy Greene Lease-Purchase Act and the Leroy F. Greene School Facilities Act of 1998, which required school districts to contribute a matching share of project costs for construction, modernization, or reconstruction and create a new state program requiring the board to provide funding per pupil.

Government Code § 65995 authorizes school districts to collect impact fees from developers of new residential and commercial/industrial building space. Senate Bill 50 (SB 50) amended CGC § 65995 in 1998. Under the provisions of SB 50, schools can collect fees to offset costs associated with increasing school capacity resulting from development.

California Education Code § 17620, et seq., allows school district governing boards to collect impact fees from developers of new industrial, commercial and residential construction.

The provisions of SB 50 prohibit local agencies from denying either legislative or adjudicative land use approvals on the basis that school facilities are inadequate, and reinstate the school facility fee cap for legislative actions (e.g., general plan amendments, specific plan adoption, zoning plan amendments). Accordingly, these provisions limit the scope of impact review in an EIR, the mitigation that can be imposed, and the findings a Lead Agency must make in justifying its approval of a Project (CGC §§ 65995-65996). According to CGC § 65996, the provisions of Chapter 4.9, including development fees authorized by SB 50, are deemed to be “full and complete school facilities mitigation....” These provisions remain in place as long as subsequent state bonds are approved and available.

Mutual Aid Agreements

The Emergency Management Mutual Aid (EMMA) system is a collaborative effort between city and county emergency managers in the Office of Emergency Services (OES) in the coastal, southern, and inland regions of the state. EMMA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center, local Emergency Operations Centers, the Disaster Field Office, and community service centers. The purpose of EMMA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the Mutual Aid Agreements, local and state emergency managers have responded in support of each other under a variety of plans and procedures.

California Governor's Office of Emergency Management Agency

In 2009, the State of California passed legislation creating the California Governor's Office of Emergency Management Agency (Cal-EMA) and authorizing it to prepare a Standardized Emergency Management System (SEMS) program (Title 19 CCR § 2400 et seq.), which sets forth measures by which a jurisdiction should handle emergency disasters. Non-compliance with SEMS could result in the state withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster.

Cal-EMA serves as the lead state agency for emergency management in the state. Cal-EMA coordinates the state response to major emergencies in support of local government. The primary responsibility for emergency management resides with local government. Local jurisdictions first use their own resources and, as these are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the state through the statewide mutual aid system. In California, the SEMS provides the mechanism by which local government requests assistance. Cal-EMA serves as the lead agency for mobilizing the state's resources and obtaining federal resources; it also maintains oversight of the state's mutual aid system.

Local

The Countywide Plan

The County adopted the Countywide Policy Plan (Policy Plan) in October 2020, which serves as the County's General Plan. The Policy Plan addresses physical, social, and economic issues facing the unincorporated portions of the County. The Policy Plan also addresses supportive services for adults and children, healthcare services, public safety, and other regional county services provided to both incorporated and unincorporated areas.

Goals and policies from the Policy Plan relevant to the Project are summarized below:

- | | |
|----------------------|--|
| Goal LU-1 | Fiscally Sustainable Growth. Growth and development that builds thriving communities, contributes to our Complete County, and is fiscally sustainable. |
| Policy LU-1.5 | Development impact fees. We require payment of development impact fees to ensure that all new development pays its fair share of public infrastructure. |
| Goal LU-4 | Community Design. Preservation and enhancement of unique community identities and their relationship with the natural environment. |

- Policy LU-4.2** **Fire-adapted communities.** We require new development in high or very high fire hazard severity zones to apply fire-resistant design techniques, including fuel modification areas, fire resistant landscaping, and fire-resistant building materials.
- Policy LU-4.3** **Native or drought-tolerant landscaping.** We require new development, when outside of high and very high fire hazard severity zones, to install and maintain drought-tolerant landscaping and encourage the use of native species.
- Goal HZ-1** **Natural Environmental Hazards. Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by natural environmental hazards and adaptation to potential changes in climate.**
- Policy HZ-1.14** **Long-term fire hazard reduction.** We require proactive vegetation management/hazard abatement to reduce fire hazards on existing private properties, along roadsides of evacuation routes out of wildfire prone areas, and other private/public land where applicable, and we require new development to enter into a long-term maintenance agreement for vegetation management in defensible space, fuel modification, and roadside fuel reduction in the Fire Safety Overlay and/or Very High Fire Hazard Severity Zones.
- Goal PP-1** **Effective crime prevention and law enforcement that leads to a real and perceived sense of public safety for residents, visitors, and businesses.**
- Policy PP-1.1** **Law enforcement services.** The Sheriff's Department provides law enforcement services for unincorporated areas and distributes resources geographically while balancing levels of service and financial resources with continuously changing needs for personal and property protection.
- Goal PP-3** **Fire and Emergency Medical. Reduced risk of death, injury, property damage, and economic loss due to fires and other natural disasters, accidents, and medical incidents through prompt and capable emergency response.**
- Policy PP-3.6** **Concurrent protection services.** We require that fire department facilities, equipment, and staffing required to serve new development are operating prior to, or in conjunction with new development.
- Policy PP-3.9** **Street and premise signage.** We require adequate street signage and premise identification be provided and maintained to ensure emergency services can quickly and efficiently respond.
- Goal PP-4** **Emergency Preparedness and Recovery. A reduced risk of and impact from injury, loss of life, property damage, and economic and social disruption resulting from emergencies, natural disasters, and potential changes in climate.**
- Policy PP-4.1** **Emergency management plans.** A reduced risk of and impact from injury, loss of life, property damage, and economic and social disruption resulting from emergencies, natural disasters, and potential changes in climate.

- Goal HW-2** **Education. A common culture that values education and lifelong learning and a populace with the education to participate and compete in the global economy.**
- Policy HW-2.2** **Land use compatibility for schools.** We prioritize the safety and security of public schools in unincorporated areas by minimizing incompatible land uses near instructional facilities. We encourage school districts to place new schools where existing and planned land uses are compatible.
- Goal HW-3** **Community Development. Assets that contribute to a complete county and healthy neighborhoods and communities.**
- Policy HW-3.1** **Healthy environments.** We collaborate with other public agencies, not-for-profit organizations, community groups, and private developers to improve the physical and built environment in which people live. We do so by improving such things as walkability, bicycle infrastructure, transit facilities, universal design, safe routes to school, indoor and outdoor air quality, gardens, green space and open space, and access to parks and recreation amenities.
- Policy HW-3.3** **Public libraries.** We operate public libraries in unincorporated areas and contract cities/towns to provide programs and facilities that ensure equitable access to information and digital technology, provide places and activities for people to connect with other people, promote literacy and reading for pleasure for children and adults, and foster a culture of creativity, innovation, and collaboration. We invest in the modernization and expansion of public library facilities as adequate funding is available.

San Bernardino County Fire Fees

The Project is required to comply with the provisions of the County of San Bernardino Fire Protection District Ordinance (Ordinance No. FPD 20-01), which requires a fee payment for any developments requiring permitting that the County applies to the funding of fire protection facilities.¹⁸

School Services Developer School Fees

In order to help finance the construction or reconstruction of school facilities needed to accommodate students coming from new development, the FUSD may establish, levy and collect developer fees on residential, commercial and industrial construction within the district, subject to restrictions specified by law and administrative regulation, pursuant to Sections 17620 et seq. of the Education Code and Sections 65995 et seq. of the Government Code. The County is responsible for calculating square footage as part of the building permit process. New residential development within the FUSD boundary in excess of 500 square feet can be assessed \$4.08 / SF, and new commercial or industrial development and senior housing projects can be assessed \$0.66 / SF.¹⁹

¹⁸ San Bernardino County. 2019. *Ordinance No. FPD 20-01*. <https://www.sbcounty.gov/uploads/SBCFire/documents/SBCFPD-Fire-Code-Ordinance-20-01-signed.pdf> (accessed April 2022).

¹⁹ Fontana Unified School District. 2022. *Developer Fees*. <https://www.fusd.net/Page/639> (accessed April 2022).

San Bernardino County Code of Ordinances

San Bernardino County has adopted the California Fire Code as § 23.0101, et. seq., of the County Code of Ordinances.

4.15.4 Impact Thresholds and Significance Criteria

CEQA Guidelines Appendix G, Environmental Checklist Form, includes questions pertaining to public services. The issues presented in the Environmental Checklist Form have been utilized as thresholds of significance in this section. Accordingly, the Project would have a significant adverse environmental impact if it:

- Would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
 - Fire protection
 - Police protection
 - Schools
 - Parks (refer to ***Section 4.16: Recreation***)
 - Other public facilities

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining whether the Project would cause potentially significant impacts concerning public services. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) where compliance would avoid or reduce a potentially significant environmental impact. As applicable, feasible mitigation measures are recommended to avoid or reduce the Project's potentially significant environmental impacts associated with public services.

Approach to Analysis

This analysis of impacts on public services examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field observations conducted by Kimley-Horn on December 13, 2021 (the date of distribution for the Notice of Preparation); review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that the Project would or would not result

in “substantial” adverse effects on public services considers the applicable policies and regulations established by local and regional agencies and the degree of deviation from these policies.

4.15.5 Impacts and Mitigation Measures

Impact 4.15-1 *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

Fire Protection

Level of Significance: Less than Significant Impact

Potential impacts related to fire protection services are reviewed by the SBCFD on a project-by-project basis. The Project’s land uses, fire-protection related needs, and the Project site recommended response distance, and project design features are taken into consideration when evaluating the Project’s impact to fire protection services. SBCFD design review would occur during specific development building permits are requested. Furthermore, the Project would be required to comply with the most current provisions of SBCFD Fee Schedule, which requires a fee payment that the SBCFD applies to the funding of fire protection facilities.²⁰ Mandatory compliance with the SBCFD Fee Schedule and plan review would be required prior to the issuance of a building permit. The Project would comply with the County Fire District Standards, CFC and CBC, including Project features that aid in fire safety and support fire suppression activities, such as fire sprinklers, paved access, and required aisle widths. Fire protection services to the Project site would be provided by the SBCFD. The Project site would be served by the County Fire Station 73, located at 8143 Banana Avenue, Fontana, CA 92335 (approximately 1.4 miles to the north) and the County Fire Station 72, located at 15380 San Bernardino Avenue, Fontana, CA 92335, (approximately 2.3 miles to the southeast). The SBCFD strives to have a response time of less than five minutes once a call for service is received. Based on the Project site’s proximity to two existing fire stations, the Project would be adequately served by fire protection services, and no new or expanded unplanned facilities would be required. Prior to commencement of any construction activities, and pursuant to the San Bernardino County Code of Ordinance § 85.01, the Project design plans would be reviewed by all applicable local agencies, including the SBCFD, to ensure compliance with the County’s Development Codes and Ordinances, Policy Plan, and all applicable emergency response and fire safety requirements of the SBCFD and the CFC. Additionally, the Project proposes construction of additional public roadways which could increase access for fire protection services to the Project vicinity. Through the construction of new public roadways, a roadway connection will be made through the Project site connecting Napa Street and Rancho Vista Drive. This would provide additional emergency routes throughout the community, presenting more direct routes for emergency personnel. Site access is based on County Code and fire lane requirements and would be reviewed by County planning and fire departments to ensure that the proposed improvements would have adequate access for emergency vehicles, trucks and autos. The proposed development would also be subject to requirements in County Development Code section 83.01.060 related to fire hazards. Prior

²⁰ San Bernardino County. 2021. *San Bernardino County Fire Protection District Fiscal Year 2021/2022 Fee Schedule*. <https://www.sbcounty.gov/uploads/SBCFire/documents/About/2021-22-Fire-Fees.pdf> (accessed April 2022).

to commencement of any construction activities, and pursuant to the San Bernardino County Code of Ordinance § 85.01, the Project design plans would be reviewed by all applicable local agencies, including the SBCFD, to ensure compliance with the County's Development Codes and Ordinances, Policy Plan, and all applicable emergency response and fire safety requirements of the SBCFD and the California Fire Code.

As structural fires represent a very small percentage of all service calls for the SBCFD, Project implementation would not significantly increase the demand for fire services on-site and no new fire stations would be required to service the Project. Further, as stated above, based on the Project site's proximity to two existing fire stations, the personnel staffed for each station, and the response times for service received, the Project would be adequately served by fire protection services, and no new or expanded unplanned facilities would be required. Furthermore, correspondence with SBCFD confirmed that these stations plus the remaining Fontana stations and their mutual aid cooperators would assist with any significant event that may occur there.²¹ Access to the Project is currently available from existing improved roadways and internal circulation would be enhanced with the new public roadways proposed throughout the Project site; see **Figure 3-4: Conceptual Site Plan**. The Project would be required to implement on-site fire suppression devices, installation of hydrants, and use of fire-retardant building materials. The Project would be compliant with all applicable building and fire codes that are continually enforced through an inspection program. With the implementation of fire safety procedures and adherence to all applicable fire codes, operational impacts to fire protection services as a result of the Project would be less than significant. Additionally, development of the Project site would increase property tax revenues to provide a source of funding to offset any increases in the anticipated demands for public services generated by the Project. Overall, the Project would receive adequate fire protection services and would not result in adverse physical impacts associated with the provision of or need for new or physically altered fire protection facilities, and will not adversely affect service ratios, response times, or other performance objectives. Compliance with applicable local and state regulations will ensure that the Project implementation would result in a less than significant impact to fire protection services.

Mitigation Measures

No mitigation is necessary.

Police Protection

Level of Significance: Less than Significant Impact

The Project would not substantially increase the County population. The construction of the Project would include the strategic use of nighttime security lighting, avoidance of landscaping and fencing that limit sightlines, and use of clearly identifiable points of entry. Police protection services to the Project site would be provided by the Fontana Patrol Station located at 17780 Arrow Boulevard, Fontana, CA 92335, approximately 4.6 miles to the east, which is served by the SBCSD. During construction activities, the site would have security lighting and on-site security personnel to secure the site and reduce demands on police service. Deputies, dispatchers, and equipment from other sheriff divisions are utilized and are available to provide additional support, if needed. Currently, the Fontana Patrol Station has a contingent

²¹ Personal communication via email with Assistant Chief, Division 1, Jeff Birchfield, of the San Bernardino County Fire Department on April 12, 2022.

of 40 sworn officers of various ranks and responsibilities and a fleet of 16 marked patrol vehicles and 10 unmarked emergency vehicles, which are available to serve to the Project site and surrounding area. Response times for Emergency Response calls are 9:30 minutes and Priority 1 calls are 14:30 minutes, respectively. Based on the Project site's proximity to these existing police stations, the response times from each station, and the staffing level, the Project would be adequately served by police protection services, and no new or expanded unplanned facilities would be required. Buildout of the Project site could create a temporary incremental increased demand for police protection services during construction. Prior to commencement of construction activities, the Project plans would be reviewed by applicable local agencies to ensure compliance with the Specific Plan, the County's Development Code and Ordinances and Policy Plan as well as all applicable regulations to ensure adequate site signage, lighting, and other crime safety preventative measures to ensure safety standards. The Master Developer and/or Site Developer, as applicable, is required to pay all required impact fees and fair share costs. Compliance with applicable local regulations would ensure that Project construction would result in a less than significant impact to police protection services.

The Project would be designed to incorporate the Crime Prevention Through Environmental Design (CPTED) strategies, which is a planning tool that focuses on proper design and use of the built environment to deter and prevent crime, in this case for businesses. The Project would include the strategic use of nighttime security lighting, avoidance of landscaping and fencing that limit sightlines, clear sightlines into the facility parking areas, and use of clearly identifiable points of entry. Access to the Project is currently available from existing improved roadways and internal circulation would be enhanced with the new public roadways proposed throughout the Project site. This would improve police access to not only the Project site but also through the Project site to the surrounding area.

Based on the Project site's existing use and the location of the Project site adjacent to existing industrial and commercial uses, it is not anticipated that the addition of the Project would change the pattern or uses within the area. Additionally, there are no proposed residential uses associated with the Project and the Project would not substantially increase population.

Fees are exacted on new development to pay for new facilities. It is anticipated that the Project site would be adequately served by existing police facilities, equipment, and personnel such that new facilities would not be required. As discussed above, the Project site is not residential and will not directly increase the number of residents in the community. Although some calls for service are anticipated, the increased demand for police services would not be significantly impacted due to operation of the Project site. Additionally, development of the Project site would increase property tax revenues to provide a source of funding to offset any increases in the anticipated demands for public services generated by the Project. Overall, the Project would receive adequate police protection service and would not result in adverse physical impacts associated with the provision of or need for new or physically altered police protection facilities, and will not adversely affect service ratios, response times, or other performance objectives. Because no police protection facilities exist on the Project site, development would not conflict with existing police structures or require modification of police protection facilities. Compliance with applicable local regulations will ensure that the Project implementation would result in a less than significant impact to police protection services.

Mitigation Measures

No mitigation is necessary.

Schools***Level of Significance: Less Than Significant***

The Project site is located in a developed area currently served by the FUSD. The Project would include construction of new high-cube logistics, e-commerce, and commercial facilities resulting in an increase of employment opportunities. This increase in employment could cause a number of new families to relocate, potentially increasing enrollment within the FUSD. However, it is anticipated that a majority of potential employees would be existing residents in local and neighboring communities and regions that would not require relocating into the school district. The Project does not include a residential component so no new schools would be constructed as a result of Project implementation. School funding comes predominantly from federal, state, and local sources such as businesses and personal income taxes, sales tax, and property taxes. Government Code § 65995 requires the developer to pay a fee at the time of issuance of building permits to the local school district, FUSD, at a cost of \$0.66 per square foot.²² Under SB 50, payment of required school impact fees is deemed complete and full mitigation for impacts to school facilities. Payment of required fees would ensure impacts to schools are less than significant.

Mitigation Measures

No mitigation is necessary.

Parks***Level of Significance: Less than Significant Impact***

Multiple parks are located nearby the Project site, the nearest being the 1.8-acre Patricia Murray Park. The closest Regional Park to the Project site is the Cucamonga-Guasti Regional Park, located approximately four miles southwest of the Project site. The Project is non-residential and located on land zoned for non-residential uses and, as discussed above, the Project would not substantially increase the population of the County. The Project is not anticipated to create an adverse physical impact to any parks in the area and it would not require the construction of any new park facility or alteration of any existing park facility. Additionally, Patricia Murray Park is outside the boundary for any proposed improvements included in the development of the Project. Lastly, all future park development would undergo individual CEQA evaluation, which is anticipated to account for any future impacts. Based on the County's Development Code, the Project is exempt from paying fees for park and recreational purposes. As described in Chapter 89.02, exempt development types include industrial subdivisions and parcel maps for non-residential developments.

Additionally, according to **Table 4.14-6: Project Employment Generation** in **Section 4.14: Population and Housing**, the Project would generate a total of 3,732 employees. This analysis assumes 102 of these employees would relocate from elsewhere in the County, and newly establish themselves in the Project

²² Fontana Unified School District. ND. *Developer Fees*. <https://www.fusd.net/Page/639> (accessed January 2022).

area.²³ Assuming 102 employees and 3.30 persons per household (see **Table 4.14-1: San Bernardino County Existing Population in Section 4.14**), the Project's forecast population growth is approximately 337 persons. The 337-person Project growth is well within the 197,400-person growth forecasted between 2016 and 2045 for Fontana, Ontario, and Rancho Cucamonga. All three cities project similar growth in their general plans, and recreational impacts in their general plan EIRs were found to be less than significant. Further, the Project would provide amenities for employees including the multi-use trail, walking paths, employee break areas, and employers could be required to establish Transportation Demand Management Programs (TDM) that would include shower facilities, bike lockers, and other similar programs. Therefore, implementation of the Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, thus, impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Other Public Facilities

Level of Significance: Less than Significant Impact

Other public facilities generally refer to libraries and government buildings that serve the population within the jurisdiction. The Project construction and operation would not require the physical modification of any of the County's public facilities or the construction of new public facilities. Specifically, the development of high-cube logistics, e-commerce, or commercial facilities would not conflict with any library facilities. The County manages a library network consisting of 33 different public libraries. The nearest public library within the County's system is the Kaiser Branch Library located approximately 3.2 miles to the south of the Project site. The construction and operation of the Project site would not result in a substantial increase in demand for these library services such that a significant deterioration of the existing facilities would occur, or such that new facilities would be required. Even though the Project is not anticipated to increase the level of use to existing libraries or other public facilities, the Master Developer and/or Site Developer, as applicable, would be required to pay its fair share of development impact fees to help offset incremental impacts to libraries by helping fund capital improvements and expenditures. Because the Project would not substantially increase the population, the Project would not cause or contribute to a need to construct new or physically altered other public facilities. Additionally, though the Project is not anticipated to increase demand for existing libraries or other public facilities, the Project applicant would be required to pay its fair share of development impact fees to help offset incremental impacts to libraries by helping fund capital improvements and expenditures. Overall, Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered other public facilities, need for new or physically altered other public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Because no public facilities exist on the Project site,

²³ Data from the Joint Center for Housing Studies of Harvard University found that approximately 13 percent of Americans move each year, and of those 21 percent move for job-related reasons. This analysis assumes an employee population of 3,732. 13 percent of 3,732 is 485 people and 21 percent of 485 people is 102 people. Therefore, the project is estimated to generate 102 new residents in the Project area. <https://www.jchs.harvard.edu/blog/who-is-moving-and-why-seven-questions-about-residential-mobility>.

development would not conflict with existing public structures or require modification of public facilities. Therefore, Project implementation would result in a less than significant impact to other public facilities.

Mitigation Measures

No mitigation is necessary.

4.15.6 Cumulative Impacts

Section 4.0: Environmental Impact Analysis, of this Draft EIR provides a list of cumulative projects that would have the potential to be considered in a cumulative context with the Project's incremental contribution. These projects are summarized in **Table 4-1: Cumulative Projects List** and shown in **Figure 4-1: Location of Cumulative Projects Map**.

As discussed above, all Project impacts to public services would be less than significant, as the Project is not expected to significantly increase the number of residents in the community or increase demands on public services. The Project would also be required to comply with existing laws, ordinances, codes, regulations, and standards, as well as payment of all applicable development impact fees to public services.

Separate, individual projects are subject to environmental and design review by applicable agencies to ensure that the projects would be compliant with all applicable laws, codes, ordinances, and standards and ensure that the addition of these individual projects would not create undue stress on the public service provided. Additionally, through the payment of development impact fees by individual projects, these public services would have capital and funding available to expand services as needed to meet rising demand with the addition of cumulative projects. Projects would be planned on a schedule to prevent significant cumulative impacts associated with multiple projects being constructed at the same time.

Because of the required plan review, rule and regulation compliance, and payments of development impacts fees as described above, the Project taken in sum with past, present, and reasonably foreseeable projects would not result in a cumulatively considerable impact on public services such as fire protection, police protection, libraries, schools, and parks. Further, anticipated increased demands for public services such as fire protection, police protection, libraries, schools, and parks infrastructure and facilities within the County, were accounted for in the County's Countywide Plan and analyzed in its associated EIR. The Countywide Plan EIR concluded that cumulative impacts related to public services would not be cumulatively considerable upon implementation of Countywide policies.

4.15.7 Significant Unavoidable Impacts

No significant and unavoidable impacts concerning public services have been identified.

4.15.8 References

California Department of Forestry and Fire Protection. 2021. *Fire Hazard Severity Zones Maps*. Available at <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>.

San Bernardino County Countywide Plan EIR. 2019. *Section 5.14 Public Services*. Available at https://files.ceqanet.opr.ca.gov/116951-2/attachment/0nCGF5XvEbBtndLHqhb_UVAPcnNqp3iCdW27djLwvBkOIPIm_IILImL9wrUvEin2NXIXn1YKTCr4BKIo0.

San Bernardino County Fire Protection District. 2021. *Division 1 (West Valley) Statistics*. Available at <https://sbcfire.org/statistics/#div1-anchor>.

San Bernardino County Library. 2021. *Library Locations*. Available at <http://www.sbclib.org/LibraryLocations.aspx>.

San Bernardino County Sheriff's Department. 2021. *Fontana Patrol Station*. Available at <https://wp.sbcounty.gov/sheriff/patrol-stations/fontana/>.

4.16 RECREATION

4.16.1 Introduction

This section describes the environmental and regulatory setting of recreational facilities and resources and evaluates the potentially significant impacts to recreation that could result from implementation of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project). Information used to prepare this section includes resource information obtained from available public resources including, but not limited to:

- County of San Bernardino (2022). *San Bernardino County Development Code*.
- County of San Bernardino (2020). *San Bernardino Countywide Plan*.
- County of San Bernardino (2019). *San Bernardino Countywide Plan Draft Environmental Impact Report*.

4.16.2 Environmental Setting

Parks in Proximity to the Project

The Project site is within the Valley Region of the County of San Bernardino (County). Parks in this region serve unincorporated portions of the County along with Valley cities, including Fontana, Rancho Cucamonga, Rialto, and Colton. Multiple parks are located nearby the Project site, the nearest being Patricia Murray Park. The 1.8-acre Patricia Murray Park is a City of Fontana park. Park amenities include a playground, benches, a perimeter path, and a picnic park shelter. No State or Federal parks, preserves, forests, or monuments are within this unincorporated portion of the County.¹

County Regional Parks

San Bernardino County Regional Parks is dedicated to providing County residents and visitors with opportunities to host and participate in innovative and diverse recreational and educational events, while protecting the County's natural, cultural, historical, and land resources.² The County Regional Parks Department continues to improve and ensure the availability and integrity of open space activities for all ages and communities. The County Regional Parks Department manages and maintains nine Regional Parks throughout the County totaling approximately 9,200 acres within the Valley Region, Mountain Region, North Desert Region, and East Desert Region.³ Each park offers diverse outdoor recreation opportunities in settings that range from metro, mountain and desert scenery. Among the activities that can be found in the County parks are: Lakes for fishing, sheltered group picnic facilities accommodating up to 350 people, swim complexes with water slides, zero depth water play parks, and playgrounds. Six of the regional parks offer scenic camping, from tent to large RV's and dry to full hook-ups.⁴ The closest

¹ County of San Bernardino. 2020. *NR-2 Parks and Open Space Resources*. <https://www.arcgis.com/apps/webappviewer/index.html?id=5595acba44fd4509830282e4417f7c9e> (accessed September 2021).

² San Bernardino County Regional Parks. 2022. *About Us*. <https://parks.sbcounty.gov/about-us/> (accessed April 2022).

³ Ibid.

⁴ Ibid.

Regional Park to the Project site is the Cucamonga-Guasti Regional Park, located approximately four miles southwest of the Project site.

The Regional Parks located in each region are as follows:

Valley Region

- Cucamonga-Guasti Regional Park
- Glen Helen Regional Park
- Prado Regional Park

Mountain Region

- Lake Gregory Regional Park

North Desert Region

- Calico Ghost Town
- Moabi Regional Park
- Mojave River Forks Regional Park
- Mojave Narrows Regional Park

East Desert Region

- Big Morongo Canyon Preserve⁵

County Service Areas

There are numerous County special districts that operate local parks in many unincorporated communities. These districts operate independently from the County government and are financed by local taxes within each respective district boundary. County Service Areas (CSAs) are separate legal entities authorized by California laws and formed by the County Board of Supervisors to fund the County's provision of services, capital improvements, and provide financial flexibility. Valley Region CSAs are as follows:

- Bloomington Recreation and Parks District
- North Etiwanda Preserve
- Oak Glen-Yucaipa⁶

State Parks

- Chino Hills State Park
- Silverwood Lake State Recreation Area
- Wildwood Canyon Park

⁵ County of San Bernardino. 2019. *San Bernardino Countywide Plan Draft EIR*. Section 5.15: Recreation. http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-15-REC.pdf (accessed September 2021).

⁶ Ibid.

- Providence Mountains State Recreation Area

National Park Service

- Death Valley National Park
- Joshua Tree National Park
- Castle Mountains National Monument
- Mojave National Preserve

United States Forest Service

- San Bernardino National Forest
- Angeles National Forest

Bureau of Land Management

- Sand to Snow National Monument
- Mojave Trails National Monument

4.16.3 Regulatory Setting

State

California Desert Conservation Area Plan

In 1980, the California Desert Conservation Area (CDCA) Plan was approved in accordance with the Federal Land Policy and Management Act. The CDCA Plan provides for multiple use management of approximately 25 million acres, of which 10 million acres are managed by the Bureau of Land Management (BLM). The CDCA Plan is based on the concept of sustainable yield and maintenance of environmental quality. Several significant amendments to the CDCA Plan have been made in San Bernardino County, including the BLM Northern and Eastern Colorado Desert Coordinated Management Plan, BLM Northern and Eastern Mojave Desert Management Plan, and the BLM West Mojave Plan. The proposed Desert Renewable Energy Conservation Plan Land Use Plan Amendment was also a major amendment to the CDCA Plan.

Mitigation Fee Act (California Government Code Sections 66000 et seq.)

The Mitigation Fee Act allows cities to establish fees that will be imposed on development projects to mitigate the impact on the jurisdiction's ability to provide specified public facilities to serve proposed development projects. In order to comply with the Mitigation Fee Act, a jurisdiction must follow four requirements: (1) Make certain determination regarding the purpose and use of a fee and establish a nexus or connection between a development project or class of project and the public improvement being financed with the fee; (2) Segregate fee revenue from the general fund in order to avoid commingling of capital facilities fees and general funds; (3) For fees that have been in the possession of the jurisdiction for five years or more and for which the dollars have not been spent or committed to a project, the

jurisdiction must make findings each fiscal year describing the continuing need for the money; and (4) Refund any fees with interest for which the findings noted above cannot be made.

Local

The Countywide Plan

The San Bernardino Countywide Plan, adopted in 2020, replaces the County's 2007 General Plan and includes two documents: a [Policy Plan](#) and a [Business Plan](#). The Policy Plan serves as the County's General Plan and includes goals and policies for the unincorporated County. The Natural Resources Element contains goals and policies for open space, parks, and recreation. There are no goals or policies for recreation that pertain to the Project.

4.16.4 Impact Thresholds and Significance Criteria

The following significance criteria for recreation were derived from the Environmental Checklist in State CEQA Guidelines Appendix G. The Project would have a significant environmental impact and require mitigation if it meets either of the following criteria:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds to determine if the Project has the potential to result in significant impacts concerning recreation. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. As applicable, feasible mitigation measures are recommended to avoid or reduce the Project's potentially significant environmental impacts.

Approach to Analysis

The analysis of impacts on recreation resources examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. For each criterion, the analyses are generally divided into two main categories: (1) temporary impacts and (2) permanent impacts. Each criterion is discussed in the context of Project components that share similar characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field observations conducted by Kimley-Horn personnel on December 13, 2021 (date of distribution for Notice of Preparation); review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on recreation resources considers the available

policies and regulations established by regional and state agencies and the amount of deviation from these policies in the Project's components.

4.16.5 Impacts and Mitigation Measures

Impact 4.16-1 *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

Level of Significance: Less than Significant Impact

Construction and Operations

Patricia Murray Park, located at 8040 Jamestown Circle in Fontana, is the closest neighborhood park to the Project site. The park is located one mile northwest of the Project site. No other parks are located within one mile of the Project site. Garcia Park, a City of Rancho Cucamonga Park, is located 1.3 miles northwest of the Project site. Park amenities include a covered picnic area, barbecues, a playground, restrooms, a full basketball court, and a softball/baseball field. The closest Regional Park to the Project site is Cucamonga-Guasti Regional Park, located approximately four miles southwest of the Project site.

The Project consists of high-cube logistics, e-commerce, and ancillary commercial development, and does not propose any residential or other land uses that may directly generate a population requiring access to recreational facilities. However, according to **Table 4.14-6: Project Employment Generation** in **Section 4.14: Population and Housing**, the Project would generate a total of 3,732 employees. This analysis assumes 102 of these employees would relocate from elsewhere and newly establish themselves in the Project area.⁷ Assuming 102 employees and 3.30 persons per household (see **Table 4.14-1: San Bernardino County Existing Population in Section 4.14**), the Project's forecast population growth is approximately 337 persons. Approximately 40 percent of this portion of unincorporated San Bernardino County is comprised of residential development. There is the possibility that those relocating could reside in this area; however, it is more likely that they'll reside in the surrounding cities of Fontana, Ontario, and Rancho Cucamonga. SCAG's 2016 population for these three cities combined was 559,700. The 2045 forecast for these three cities combined is 757,100. The 337-person Project growth is well within the 197,400-person growth forecasted between 2016 and 2045 for Fontana, Ontario, and Rancho Cucamonga. All three cities project similar growth in their general plans, and recreational impacts in their general plan EIRs were found to be less than significant. Further, the Project would provide amenities for employees including the multi-use trail, walking paths, employee break areas, and employers could be required to establish Transportation Demand Management Programs (TDM) that would include shower facilities, bike lockers, and other similar programs.

⁷ Data from the Joint Center for Housing Studies of Harvard University found that approximately 13 percent of Americans move each year, and of those 21 percent move for job-related reasons. This analysis assumes an employee population of 3,732. 13 percent of 3,732 is 485 people and 21 percent of 485 people is 102 people. Therefore, the project is estimated to generate 102 new residents in the Project area. <https://www.jchs.harvard.edu/blog/who-is-moving-and-why-seven-questions-about-residential-mobility>.

Therefore, implementation of the Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, thus, a less than significant impact would occur.

Mitigation Measures

No mitigation is necessary.

Impact 4.16-2 ***Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?***

Level of Significance: Less than Significant Impact

Construction and Operations

The Project consists of a commercial development focused on high-cube logistics and e-commerce with approximately 12 acres of other accessory commercial development. Based on the County's Development Code, the Project is exempt from paying fees for park and recreational purposes. As described in Chapter 89.02, exempt development types include industrial subdivisions and parcel maps for non-residential developments.

The Project proposes a 10-foot-wide multi-purpose trail along Street "A." The multi-use trail runs the full east/west length of the Specific Plan area from Cherry Avenue to the connection point at Napa Street. The multi-use trail also connects with Streets "B" and "C" to allow pedestrians and bicyclists greater accessibility throughout the Project site. The trail would benefit the environment as it would provide opportunity for an alternative means of transportation (non-motorized) versus motorized vehicles, and potentially remove some automobiles from the area roadways as people opt to bike/walk instead of taking a personal automobile. Furthermore, the Project would provide approximately 3.3 acres of open space area within an existing stormwater basin in Planning Area 4b and buffer landscaping on the southern edge of the Specific Plan area adjacent to the existing open stormwater channel. In addition to this open space, landscaping in the form of building, parking lot and parkway streetscape would enhance the pedestrian-level experience within the site. Employee break areas, informal seating areas and nodes of enhanced landscaping would be established at major intersections in the Project. As noted previously, the Project's forecast population growth is approximately 337 persons. This growth is accounted for in SCAG's demographic forecast as well as each city's general plan EIR, which found that recreational impacts would be less than significant. Therefore, the Project would not require the construction or expansion of recreational facilities that could result in an adverse physical effect on the environment and a less than significant would occur.

Mitigation Measures

No mitigation is necessary.

4.16.6 Cumulative Impacts

The Project is not anticipated to substantially increase the need for or use of recreational facilities in the County, and it does not require the construction or expansion of recreational facilities that could cause adverse physical effects on the environment. The Project does not propose any residential uses. As noted previously, the Project's forecast population growth is approximately 337 persons. This growth is accounted for in SCAG's demographic forecast as well as each city's general plan EIR, which found that recreational impacts would be less than significant. Because the Project would not adversely impact recreational facilities, it would not contribute to an existing cumulative impact, even when combined with past, present, and future projects; thus, the Project's contribution would not be cumulatively considerable.

Further, anticipated increased demands for recreation within the County were accounted for in the County's Countywide Plan and analyzed in its associated EIR, which is incorporated by reference and accounts for cumulative residential and employment growth in the County.

4.16.7 Significant Unavoidable Impacts

No significant and unavoidable impacts concerning recreation resources have been identified.

4.16.8 References

County of San Bernardino. 2019. *San Bernardino Countywide Plan Draft EIR. Section 5.15: Recreation*.
http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-15-REC.pdf.

County of San Bernardino. 2020. *NR-2 Parks and Open Space Resources*.
<https://www.arcgis.com/apps/webappviewer/index.html?id=5595acba44fd4509830282e4417f7c9e>.

Riordan Frost. 2020. *Who is Moving and Why? Seven Questions about Residential Mobility*.
<https://www.jchs.harvard.edu/blog/who-is-moving-and-why-seven-questions-about-residential-mobility>.

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4.17 TRANSPORTATION

4.17.1 Introduction

The purpose of this section is to describe the potential transportation impacts that may result from construction and operation of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project). The following discussion addresses the existing transportation conditions in the Project area, identifies applicable regulations, evaluates the Project's consistency with applicable goals and policies, identifies and analyzes potential environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the Project. The information and analysis herein rely on the following investigations and collectively document the traffic and circulation conditions of the Project site found in **Appendix L** of this EIR:

- Kimley-Horn and Associates (2022). *Traffic Study for Speedway Commerce Center II Specific Plan Project*.
- Kimley-Horn and Associates (2021). *SB 743 VMT Analysis for Speedway Commerce Center II Specific Plan*.

4.17.2 Environmental Setting

Existing Transportation System

Existing Roadway System

The Project site is currently accessed at existing access points at Merrill Avenue, Rancho Vista Drive, Randall Avenue, Napa Street and VIP Access Road. On-site internal circulation currently includes Perimeter Road, Calabash Avenue, Back Straight Road, VIP Access Road, Entry Road, and Rancho Vista Drive.

Regional vehicular access to the Project site is currently provided by Interstate (I-) 10 and I-15. The I-10 Freeway, near the Project site, is an east-west freeway that provides four travel lanes in each direction and is located approximately 1.2 miles south of the Project. The I-15 Freeway, near the Project site, is a north-south freeway that provides four-five travel lanes in each direction and is located approximately 2.8 miles to the west of the Project site. Southwest of the Project site, the I-10 and I-15 traverse each other.

Local access to the Project vicinity is provided by the following arterial and commuter roadways:¹

Cherry Avenue is a north-south roadway with three lanes in each direction that connect to the I-10 and State Route (SR-) 210 freeway ramps. In the Project vicinity, Cherry Avenue forms the eastern Project boundary. The posted speed limit is 40 miles per hour (mph), and on-street parking is prohibited on both sides. In the San Bernardino County General Plan or Countywide Plan, Cherry Avenue is designated as a Major Highway north of I-15, a Major Divided Highway between I-15 and I-10, and a Major Arterial Highway south of I-10. Cherry Avenue is designated in the City of Fontana Circulation Element as a Primary

¹ Kimley-Horn and Associates. 2022. *Traffic Study for the proposed Speedway Commerce Center II Specific Plan Project*. Page 19. Orange, CA. Appendix L.

Highway north of SR-210 and south of Jurupa Avenue, and a Major Highway between SR-210 and Jurupa Avenue, as well as an eight-Lane Major Highway near the I-10 interchange.

Beech Avenue is a north-south roadway with two lanes in each direction north of Foothill Boulevard, and one lane in each direction south of Foothill Boulevard. Beech Avenue connects to the I-10 and SR-210 freeway ramps. The posted speed limit is 40 mph, and on-street parking is permitted on both sides. In the Countywide Plan, Beech Avenue is designated as a Secondary Highway within the Project vicinity. Beech Avenue is designated in the City of Fontana Circulation Element as a Primary Highway.

Citrus Avenue is a north-south roadway with two lanes in each direction that connect to the I-10 and SR-210 freeway ramps. The posted speed limit is 40 mph, and on-street parking is prohibited on both sides. In the Countywide Plan, Citrus Avenue is designated as a Major Divided Highway north of Baseline Avenue and a Secondary Highway south of Baseline Avenue. Citrus Avenue is designated in the City of Fontana Circulation Element as a Primary Highway north of Baseline Avenue and south of Jurupa Avenue; a Secondary Highway between Baseline Avenue and Jurupa Avenue; as well as a Major Highway at the SR-210 and I-10 interchanges.

Sierra Avenue is a north-south roadway with three lanes in each direction that connect to the I-10 and SR-210 Ramps. The posted speed limit is 50 mph, and on-street parking is prohibited on both sides. In the Countywide Plan, Sierra Avenue is designated as a Major Divided Highway north of Baseline Avenue, a Major Highway between Baseline Avenue and San Bernardino Avenue, and a Major Divided Highway south of San Bernardino Avenue. Sierra Avenue is designated in the City of Fontana Circulation Element as a Primary Highway north of I-15 and south of Jurupa Avenue; a Major Highway between I-15 and Jurupa Avenue; as well as an eight-Lane Major Highway at the SR-210 and I-10 interchanges.

Highland Avenue is an east-west roadway with two lanes in each direction. The posted speed limit is 45 mph, and on-street parking is prohibited on both sides. In the Countywide Plan, Highland Avenue is designated as a Major Highway. Highland Avenue is designated in the City of Fontana Circulation Element as a Primary Highway.

Baseline Avenue is an east-west roadway with three lanes in each direction that connects to the I-15 freeway ramps. The posted speed limit is 45 mph, and on-street parking is prohibited on both sides. In the Countywide Plan, Baseline Avenue is designated as a Major Highway west of I-15 and a Major Divided Highway east of I-15. Baseline Avenue is designated in the City of Fontana Circulation Element as a Modified Major Highway and an eight-Lane Major Highway at the I-15 interchange. In the City of Rancho Cucamonga Circulation Element, Baseline Avenue, which transitions into Base Line Road, is designated as an Arterial Roadway within the study area.

Foothill Boulevard is an east-west roadway with three lanes in each direction that connects to the I-15 freeway ramps. The posted speed limit is 50 mph, and on-street parking is prohibited on both sides. In the Countywide Plan, Foothill Boulevard is designated as a Major Divided Highway west of East Street, a Major Arterial Highway between East Street and Citrus Avenue, and a Major Divided Highway east of Citrus Avenue. Foothill Boulevard is designated in the City of Fontana Circulation Element as a Modified Major

Highway. In the City of Rancho Cucamonga Circulation Element, Foothill Boulevard is designated as a Boulevard.

Arrow Route is an east-west roadway with one lane in each direction. The posted speed limit is 45 mph, and on-street parking is prohibited on both sides. In the Countywide Plan, Arrow Route is designated as a Major Highway. Arrow Route is designated in the City of Fontana Circulation Element as a Primary Highway. In the City of Rancho Cucamonga Circulation Element, Arrow Highway is designated as an Arterial Roadway.

Whittram Avenue is an east-west roadway with one lane in each direction. In the Project vicinity, Whittram Avenue forms the northern Project boundary. The posted speed limit is 40 mph, and on-street parking is permitted on both sides. In the Countywide Plan, Whittram Avenue is designated as a Secondary Highway. Whittram Avenue is designated in the City of Fontana Circulation Element as a Secondary Highway.

Merrill Avenue is an east-west roadway with one lane in each direction. The posted speed limit is 40 mph, and on-street parking is permitted on both sides. In the Countywide Plan, Merrill Avenue is designated as a Secondary Highway west of Fontana Avenue, a Major Highway between Fontana Avenue and Sierra Avenue, and a Secondary Highway east of Sierra Avenue. Merrill Avenue is generally designated in the City of Fontana Circulation Element as a Secondary Highway.

Randall Avenue is an east-west roadway with one lane in each direction. The posted speed limit is 40 mph, and on-street parking is prohibited on both sides. In the Countywide Plan, Randall Avenue is designated as a Secondary Highway. Randall Avenue is generally designated in the City of Fontana Circulation Element as a Modified Secondary Highway.

San Bernardino Avenue/4th Street is an east-west roadway with two lanes in each direction that connect to the I-15 freeway ramps. The posted speed limit is 55 mph, and on-street parking is prohibited on both sides. In the Countywide Plan, San Bernardino Avenue is designated as a Major Divided Highway west of Fontana Avenue and a Secondary Highway east of Fontana Avenue. San Bernardino Avenue is designated in the City of Fontana Circulation Element as a Primary Highway west of Elm Avenue and east of Locust Avenue, and a Modified Secondary Highway between Elm Avenue and Locust Avenue. In the City of Rancho Cucamonga Circulation Element, San Bernardino Avenue/4th Street is designated as an Arterial Roadway.

Valley Boulevard is an east-west roadway with three lanes in each direction that connect to the I-10 freeway ramps. The posted speed limit is 50 mph, and on-street parking is prohibited on both sides. In the Countywide Plan, Valley Boulevard is designated as a Major Arterial Highway west of Sierra Avenue and a Major Divided Highway east of Sierra Avenue. Valley Boulevard is designated in the City of Fontana Circulation Element as a Major Highway.

Existing Transit and Rail Service

Omnitrans provides public transit services within the County of San Bernardino. There are no existing or planned public transit routes or stops adjacent to the Project area. The closest Omnitrans Transit System

routes are Route 66 along W. Foothill Boulevard and Route 61 along San Bernardino Avenue. As the Project develops, the Transit System may assess the potential demand for these facilities in the area and may establish new or extended routes in the area. Although there is no planned OmniTrans service to the Project site, the Master Developer is currently coordinating with OmniTrans and would continue to work with Omnitrans as the Project builds out to determine the need for future bus service to the Project site.

Metrolink is a commuter rail system serving the southern California region including Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties, as well as to Oceanside in San Diego County. Metrolink has an existing rail line adjacent to the Project area's northern boundary. The existing Fontana Metrolink station is approximately 3 miles from the Project site. In addition, there are existing privately owned rail spurs (by others) located along the Project's western and southern boundary's that are utilized for freight purposes by Union Pacific Railroad (UPRR) and BNSF Railway to service existing industrial uses located south and west of the Project site.

Existing Pedestrian and Bicycle Facilities

Existing pedestrian walkways partially occur at the eastern entrance of Entry Road, near the perimeter parking lots, and internally within the Auto Club Speedway facility. According to the County of San Bernardino General Plan (Countywide Plan) Draft EIR, Figure 5.16-14, Future Bicycle Facilities – Valley Region, the Project site does not contain any existing bikeways. However, Figure 5.16-14 illustrates that Class II bicycle facilities are planned at Cherry Avenue and Arrow Route and a Class I bicycle facility is planned along the San Sevaine Channel located west of the Project site.

4.17.3 Regulatory Setting

Federal

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 prohibits discrimination toward people with disabilities and guarantees that they have equal opportunities as the rest of society to become employed, purchase goods and services, and participate in government programs and services. The ADA includes requirements pertaining to transportation infrastructure. The Department of Justice's revised regulations for Titles II and III of the ADA, known as the 2010 ADA Standards for Accessible Designs, set minimum requirements for newly designed and constructed or altered state and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. These standards apply to accessible walking routes, curb ramps, and other facilities.

Manual on Uniform Traffic Control Devices

The Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices (MUTCD) is contained in the Code of Federal Regulations (CFR, Title 23, Part 655, Subpart F). The FHWA requires that the most recent MUTCD be adopted by individual states as their legal state standard for traffic-control devices within two years of any update. The MUTCD identifies the standards that should be used to install and maintain traffic-control devices on all public streets, highways, bikeways, and private roads that are open to public traffic. The County of San Bernardino (County) uses the California MUTCD (CA-MUTCD) for

determining the necessary traffic-control devices (e.g., signs, barricades, gates, warning signs, object markers, guide signs, pavement and curb markings, traffic-control signs, pedestrian control signs, in-roadway lights, and flagger control) on public streets, highways, bikeways, and school areas in the County, including temporary traffic-control devices in and near construction work areas.

Surface Transportation Assistance Act Routes (Federal Designation)

The Surface Transportation Assistance Act (STAA) of 1982 allows large trucks, referred to as STAA trucks that comply with maximum length and wide requirements, to operate on routes that are part of the National Network. The National Network includes the Interstate Highway System and other designated highways that were a part of the Federal-Aid Primary System on June 1, 1991; states are encouraged, however, to allow access for STAA trucks on all highways.

State

California Transportation Development Act

The Mills-Alquist-Deddeh Act (Senate Bill [SB] 325) (also known as the Transportation Development Act [TDA]) was enacted in 1971 to improve public transportation services and encourage regional transportation coordination. This law provides funding to be allocated to transit- and non-transit-related purposes that comply with regional transportation plans. The TDA provides two funding sources: 1) the Local Transportation Fund, which is derived from a ¼ cent of the general sales tax collected statewide, and 2) the State Transit Assistance fund, which is derived from the statewide sales tax on diesel fuel.

California Department of Transportation

The California Department of Transportation (Caltrans) oversees the state's highway system. Caltrans is the public agency responsible for designing, building, operating, and maintaining the state's highway system, which consists of freeways, highways, expressways, toll roads, and the area between the roadways and property lines. Caltrans is also responsible for permitting and regulating the use of state roadways. Caltrans' construction practices require temporary traffic control planning during activities that interfere with the normal function of a roadway.

Sustainable Communities Strategies: Senate Bill 375 – Climate Protection Act of 2008

SB 375 focuses on coordinating land use and transportation planning in order to reduce greenhouse gas (GHG) emissions to help California meet its GHG reduction goals established in Assembly Bill (AB) 32. SB 375 also includes provisions for streamlined California Environmental Quality Act (CEQA) review for some infill projects, such as Transit-Oriented Developments (TODs). SB 375 requires that Regional Transportation Plans (RTP) developed by Metropolitan Planning Organizations (MPOs) incorporate a "sustainable communities strategy" (SCS) that would achieve GHG emission reduction targets set by the California Air Resources Board (CARB). The Southern California Association of Governments (SCAG) is the MPO for the County and five other counties (Imperial, Los Angeles, Orange, Riverside, and Ventura counties). SCAG's Federal Transportation Improvement Program (FTIP) is a listing of multi-modal transportation projects proposed over a six-year period for the SCAG region. The FTIP projects include highway improvements, transit, rail and bus facilities, high occupancy vehicle lanes, active transportation,

signal synchronization, intersection improvements, freeway ramps, etc. The FTIP is prepared to implement projects and programs listed in the RTP/SCS and is developed in compliance with state and federal requirements. The San Bernardino County Transportation Commission has the responsibility under state law of proposing their county program, using current RTP/SCS policies, programs, and projects as a guide, from among submittals by cities and local agencies. The locally prioritized lists of projects are forwarded to SCAG for review. From their lists, SCAG develops the FTIP based on consistency with the current RTP/SCS, inter-county connectivity, financial constraint, and conformity determination.

California Complete Streets Act of 2008

The California Complete Streets Act requires that the circulation elements of local general plans accommodate a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways in manners that are suitable to applicable rural, suburban, or urban contexts. Users are defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and riders of public transportation.

Senate Bill 743 – Update to the CEQA Guidelines for Transportation Impacts

In January 2019, the Natural Resources Agency finalized updates to the CEQA Guidelines including the incorporation of SB 743 modifications. The changes to the Guidelines were approved by the Office of Administrative Law and are now in effect. The updated guidelines shift traffic analysis from delay and operations to vehicle miles traveled (VMT) when evaluating transportation impacts under CEQA. This change in methodology is a result of SB 743, which was signed into law in September 2013. SB 743 created a process to change the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 required the Governor’s Office of Planning and Research (OPR) to amend the CEQA guidelines to provide a mandatory alternative to level of service (LOS) for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses.

Measurements of transportation impacts may include VMT, VMT per capita, automobile trip generation rates, or automobile trips generated. According to SB 743, projects should aim to reduce VMT and mitigate potential VMT impacts through the implementation of transportation demand management (TDM) strategies. By July 1, 2020, all CEQA lead agencies must analyze a project’s transportation impacts using VMT. Specific to SB 743, § 15064.3(c) states, “The provisions of the section shall apply prospectively as described in § 15007. A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide.” In order to implement these new CEQA guidelines, each lead agency needed to identify their preferred VMT metric; VMT methodology; VMT impact significance threshold; and VMT mitigation scenarios. However, § 15007(d) also states, “Public agencies shall have complied with new requirements in amendments to the Guidelines beginning with the earlier of the following dates: (1) The effective date of the agency’s (County’s) procedures amended to conform to the new Guideline amendments; or (2) The 120th day after the effective date of the Guideline amendments giving the County a grace period of 120 days following the July 1st date for the County to implement the new VMT CEQA guidelines.”

In developing the new CEQA guidelines, the OPR prepared a Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory). The final version of the Technical Advisory is dated December 2018 and provides guidance for local jurisdictions in developing methodologies and thresholds for evaluating VMT.

The County has adopted VMT thresholds of significance for determining the significance of transportation impacts consistent with County of San Bernardino Transportation Impact Study Guidelines (updated July 2019). Although the County still requires LOS analysis, in addition to a VMT assessment and in connection with the Countywide General Plan, LOS is no longer a metric for evaluating transportation impacts under CEQA, except for roadway capacity projects. (PRC § 21099(b)(2); CEQA Guidelines § 15064.3(b)(2)).

California Manual on Uniform Traffic Control Devices

On November 2014, Caltrans replaced the Caltrans Traffic Manual with the 2014 CA-MUTCD. Part 6 of the 2014 CA-MUTCD covers temporary traffic controls. The CA-MUTCD covers every aspect of temporary traffic control on state and county highways including taper, diversions and detours, hand signaling controls, barricades, lighting devices, and sign placements.

California Department of Transportation State Transportation Improvement Program

The Caltrans State Transportation Improvement Program (STIP) is a multi-year capital improvement program of transportation projects on and off the State Highway System that is funded with revenues from the Transportation Investment Fund and other funding sources. STIP programming generally occurs every two years. The programming cycle begins with the release of a proposed fund estimate in July of odd-numbered years, followed by California Transportation Commission (CTC) adoption of the fund estimate in August (odd years). The fund estimate serves to identify the amount of new funds available for the programming of transportation projects. Once the fund estimate is adopted, Caltrans and the regional planning agencies prepare transportation improvement plans for submittal by December 15th (odd years). Caltrans prepares the Interregional Transportation Improvement Plan and regional agencies prepare Regional Transportation Improvement Plans. Public hearings are held in January (even years) in both northern and southern California. The STIP is adopted by the CTC by April (even years).

California Transportation Commission

The CTC administers the public decision-making process that sets priorities and funds projects envisioned in long-range transportation plans. The CTC's programming includes the STIP, a multiyear capital improvement program of transportation projects on and off the state highway system, funded with revenues from the State Highway Account and other funding sources. Caltrans manages the operation of state highways.

Regional

Regional Transportation Plan/Sustainable Communities Strategy

As the MPO for the region's six counties and 191 cities, the Regional Council of SCAG is mandated by law to develop a long-term regional transportation and sustainability plan every four years. On September 3, 2020, SCAG's Regional Council approved and fully adopted Connect SoCal (2020–2045 RTP/SCS). Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. Connect SoCal identifies goals that fall into four categories: economy, mobility, environment, and healthy/complete communities.²

Local

The Countywide Plan

The following goals and policies from The Countywide Plan's Transportation and Mobility Element³ are pertinent to the Project:

- Goal TM-1** **Roadway Capacity. Unincorporated areas served by roads with capacity that is adequate for residents, businesses, tourists, and emergency services.**
- Policy TM-1.1** **Roadway level of service (LOS).** We require our roadways to be built to achieve the following minimum level of service standards during peak commute periods (typically 7:00-9:00 AM and 4:00-6:00 PM on a weekday):
- LOS D in the Valley Region
 - LOS C in the Mountain Region
 - LOS C in the North and East Desert Regions
- Policy TM-1.4** **Unpaved roadways.** The County does not accept new unpaved roads into the County Maintained Road System, and we require all-weather treatment for all new unpaved roads.
- Policy TM-1.6** **Paved roads.** For any new development for which paved roads are required, we require the developer to construct the roads and we require the establishment of a special funding and financing mechanism to pay for roadway operation, maintenance, and set-aside reserves.
- Policy TM-1.7** **Fair share contributions.** We require new development to pay its fair share contribution toward off-site transportation improvements.
- Goal TM-2** **Road Design Standards. Roads designed and built to standards in the unincorporated areas that reflect the rural, suburban, and urban context as well as the regional (valley, mountain, and desert) context.**

² SCAG. 2020. *Adopted Final Connect SoCal*. Retrieved at: <https://scag.ca.gov/read-plan-adopted-final-plan> (accessed February 2022).

³ County of San Bernardino. 2020. *The Countywide Plan, Transportation and Mobility Element*. <http://countywideplan.com/policy-plan/beta/tm/> (accessed September 2021).

- Policy TM-2.2** **Roadway improvements.** We require roadway improvements that reinforce the character of the area, such as curbs and gutters, sidewalks, landscaping, street lighting, and pedestrian and bicycle facilities. We require fewer improvements in rural areas and more improvements in urbanized areas, consistent with the Development Code. Additional standards may be required in municipal spheres of influence.
- Policy TM-2.3** **Concurrent improvements.** We require new development to mitigate project transportation impacts no later than prior to occupancy of the development to ensure transportation improvements are delivered concurrent with future development.
- Policy TM-2.6** **Access control.** We promote shared/central access points for direct access to roads in unincorporated areas to minimize vehicle conflict points and improve safety, especially access points for commercial uses on adjacent properties.
- Goal TM-3** **Vehicle Miles Traveled. A pattern of development and transportation system that minimizes vehicle miles traveled.**
- Policy TM-3.1** **VMT Reduction.** We promote new development that will reduce household and employment VMT relative to existing conditions.
- Policy TM-3.2** **Trip reduction strategies.** We support the implementation of transportation demand management techniques, mixed use strategies, and the placement of development in proximity to job and activity centers to reduce the number and length of vehicular trips.
- Goal TM-4** **Complete Streets, Transit, and Active Transportation. On- and off-street improvements that provide functional alternatives to private car usage and promote active transportation in mobility focus areas.**
- Policy TM-4.5** **Transit access to job centers and tourist destinations.** We support and work with local transit agencies to generate public transportation systems that provide access to job centers and reduce congestion in tourist destinations in unincorporated areas.
- Policy TM-4.7** **Regional bicycle network.** We work with SBCTA and other local agencies to develop and maintain a regional backbone bicycle network.
- Policy TM-4.8** **Local bicycle and pedestrian networks.** We support local bike and pedestrian facilities that serve unincorporated areas, connect to facilities in adjacent incorporated areas, and connect to regional trails. We prioritize bicycle and pedestrian network improvements that provide safe and continuous pedestrian and bicycle access to mobility focus areas, schools, parks, and major transit stops.
- Policy TM-4.9** **Bike and pedestrian safety.** We promote pedestrian and bicyclist safety by providing separated pedestrian and bike crossings when we construct or improve bridges over highways, freeways, rail facilities, and flood control areas. We monitor pedestrian and bicycle traffic accidents and promote safety improvements in unincorporated high-accident areas.

- Policy TM-4.10** **Shared parking.** We support the use of shared parking facilities that provide safe and convenient pedestrian connectivity between adjacent uses.
- Policy TM-4.11** **Parking areas.** We require publicly accessible parking areas to ensure that pedestrians and bicyclists can safely access the site and on-site businesses from the public right-of-way.
- Goal TM-5** **Goods movement. A road, rail, and air transportation system that supports the logistics industry and minimizes congestion in unincorporated areas.**
- Policy TM-5.1** **Efficient and sustainable goods movement network.** We advocate for the maintenance of a goods movement system in southern California that is efficient and sustainable and that prioritizes public health through the use of zero-emission equipment and infrastructure.
- Policy TM-5.6** **Unincorporated truck routes.** We establish local truck routes in unincorporated areas to efficiently funnel truck traffic to freeways while minimizing impacts on residents. We establish routes where trucks are prohibited in unincorporated environmental justice focus areas and to avoid overlaps or conflicts with safe routes to schools.
- Policy TM-5.7** **Trucking-intensive businesses.** We require trucking-intensive businesses to pay their fair share of costs to build and maintain adequate roads.

San Bernardino Countywide Transportation Plan

The San Bernardino County Transportation Authority (SBCTA), formerly known as the San Bernardino Associated Governments (SANBAG), developed the County's Countywide Transportation Plan (CTP), which was released in September 2015. The plan has a horizon year of 2040 and serves as the County's input into the SCAG's RTP/SCS. The purpose of the CTP is to lay out a strategy for long-term investment in and management of the County's transportation system. Key issues addressed by the CTP include transportation funding, congestion relief, economic competitiveness, system preservation and operations, transit system interconnectivity, air quality, sustainability, and GHG emission reductions. The CTP analyzes a Year 2040 baseline scenario with traditional revenue sources and an aggressive scenario that assumes added revenue sources defined in SCAG's RTP/SCS. The CTP has developed a set of strategies to address issues such as air quality, goods movement, sustainability, and active transportation.

San Bernardino County Non-Motorized Transportation Plan

SANBAG developed the San Bernardino County Non-Motorized Transportation Plan in March 2011, with the most recent update in June 2018. The goal of the plan is to develop an integrated plan and identify sources of funds to implement that plan to promote increased bicycle and pedestrian access, increased travel by cycling and walking, routine accommodation in transportation and land use planning, and improved bicycle and pedestrian safety. The plan lays out design guidelines, bikeway and pedestrian system recommendations, implementation strategies and priorities, and funding opportunities. It points out that local jurisdictions are ultimately responsible for implementing projects included in the plan. SBCTA serves in an advisory role, including identifying projects on the regional network, providing advisory support for project development, supporting local education and safety efforts, encouraging the

incorporation of nonmotorized facilities into general and specific plans, working to identify grant opportunities, etc.

San Bernardino County Congestion Management Program

The SBCTA is San Bernardino's Congestion Management Agency (CMA). SBCTA prepares, monitors, and periodically updates the County Congestion Management Program (CMP) to meet federal Congestion Management Process requirement and the County's Measure I Program. The San Bernardino County CMP defines a network of state highways and arterials; LOS standards and related procedures; the process for mitigation of impacts of new development on the transportation system; and technical justification for the approach.

Measure I Strategic Plan

Measure I authorizes a ½-cent sales tax in the County until March 2040 for use exclusively on transportation improvement and traffic management programs. County voters first approved the measure in 1989 and in 2004 overwhelmingly approved the extension through 2040. Measure I includes language mandating development to pay its fair share for transportation improvements in the County. The Measure I Strategic Plan is the official guide for the allocation and administration of the combination of local transportation sales tax, state and federal transportation revenues, and private fair-share contributions to regional transportation facilities to fund the Measure I 2010–2040 transportation programs. The Strategic Plan identifies funding categories and allocations and planned transportation improvement projects in the County for freeways, major and local arterials, bus and rail transit, and traffic management systems. The County has adopted a development impact fee (DIF) program that is consistent with Measure I requirements.

4.17.4 Impact Thresholds and Significance Criteria

Appendix G of the State CEQA Guidelines contains the Environmental Checklist Form, which includes questions related to transportation. The issues presented in the Environmental Checklist Form have been utilized as Thresholds of Significance in this section. Accordingly, a project may create a significant environmental impact if one or more of the following occurs:

- Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.
- Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- Result in inadequate emergency access.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria, as the basis for determining the level of impacts related to transportation. In addition, this analysis considers existing regulations, laws

and standards that serve to avoid or reduce potential environmental impacts. Where potentially significant impacts remain, feasible mitigation measures are recommended to avoid or lessen the Project's potentially significant adverse impacts.

CEQA Guidelines § 15064.3(b), Determining the Significance of Transportation Impacts, provides the following guidance on how VMT from various types of projects can be evaluated:

b) Criteria for Analyzing Transportation Impacts.

1. **Land Use Projects.** VMT exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease VMT in the project area compared to existing conditions should be considered to have a less than significant transportation impact.
2. **Transportation Projects.** Transportation projects that reduce, or have no impact on, VMT should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, a lead agency may tier from that analysis as provided in § 15152.
3. **Qualitative Analysis.** If existing models or methods are not available to estimate the VMT for the particular project being considered, a lead agency may analyze a Project's VMT qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.
4. **Methodology.** A lead agency has discretion to choose the most appropriate methodology to evaluate a project's VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's VMT and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate VMT and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in § 15151 shall apply to the analysis described in this section.

The analysis for VMT for the Project was completed in December 2021 by Kimley-Horn and Associates and is included as **Appendix L** of this EIR. The analysis below utilizes the VMT significance criteria to determine the Project's potential impacts related to VMT and if mitigation is needed to reduce impacts to less than significant levels.

County VMT Thresholds

As described in the County's traffic impact study guidelines, VMT significance thresholds are based on land use type, broadly categorized as efficiency metrics. As shown in **Table 4.17-1: VMT Thresholds of Significance**, efficiency metrics include VMT/Capita (Residential) and Work VMT/employee (Employee-Based VMT).

Table 4.17-1: VMT Thresholds of Significance

Land Use	VMT Threshold	Basis
Residential	4 percent below VMT per person	Existing unincorporated county average VMT per capita
Employment-Based VMT Generators	4 percent below VMT per employee	Existing unincorporated county average Home-based-Work VMT per employee

Since the Project is employment based, the applicable “Employment-Based VMT” threshold of significance utilized to determine the Project’s VMT impacts.

Project Design Features

The Master Developer proposes the following Project Design Features (PDFs) that would be incorporated into the Project design and constructed or implemented as part of the Project. PDFs are specific design and/or operational characteristics proposed by the Master Developer that are incorporated into the Project and part of the Project description and Specific Plan. Because PDFs are incorporated into the Project, they do not constitute mitigation measures. It should be noted that these PDFs facilitate compliance with regulations and latest best practices. VMT benefits from implementation of **PDF TRANS-1** through **PDF TRANS-3** are not directly quantifiable and not quantified; no credit is taken for these measures. Quantifiable measures would be incorporated as mitigation measures, which would be supported by these PDFs.

PDF TRANS 1 **Bike/Pedestrian Facilities.** Sidewalks would be provided on most street sections within the Project area per the SCCIISP. Limited street sections within the Project area (i.e., along the flood control channel) will not have sidewalks to discourage pedestrian activity and existing conditions outside the Project area along VIP Access Road. For Street “A,” a 10-foot-wide multi-use trail would be provided for internal connectivity.

PDF TRANS 2 **Transit.** As the Project develops, the Master Developer would coordinate with OmniTrans to assess the potential demand for additional public transit services in the area. OmniTrans is responsible for monitoring ridership trends, demands, incrementally restored bus services in response to the changing needs of its service area and therefore, would establish new or extended routes in the area in the foreseeable future as needed.

PDF TRANS 3 **Commuter Trip Reduction Project (CTR) - Voluntary.** The Owner and tenant/facility operator will implement voluntary Commuter Trip Reduction (CTR) Program that would provide employees with assistance in using alternative modes of travel. The CTR program may include the following:

- Carpooling encouragement
- Ride-matching assistance
- Preferential carpool parking
- Flexible work schedules for carpools
- Half time transportation coordinator

- Vanpool assistance
- Bicycle end-trip facilities (parking, showers, and lockers)

4.17.5 Impacts and Mitigation Measures

Impact 4.17-1: *Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Level of Significance: *Less than Significant Impact*

Construction

The Project would be consistent with SB 375 by complying with SCAG's Connect SoCal and SBCTA's CMP. The Project's consistency analysis with SCAG's 2020-2045 RTP/SCS goals is further discussed in **Table 4.11-3: Consistency with SCAG 2020-2045 RTP/SCS** within **Section 4.11: Land Use and Planning** of this EIR. The Project would also be consistent with SCBTA's CMP goals which include, but not limited to, adhering to the CMP by maintaining and enhancing the performance of Project area's multimodal transportation system and minimizing travel delay refer to level of service (LOS) analysis in **Appendix L**; providing technical consistency in multimodal transportation system analysis and providing consistent procedures to identify and evaluate the effectiveness of mitigation measures; and by providing for adequate funding of mitigations through payment of development impact fees.

The Project would also comply with the Complete Streets Act of 2008 by being consistent with the Countywide Plan. The Complete Streets Act of 2008 requires General Plans to accommodate a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways in manners that are suitable to applicable rural, suburban, or urban contexts. More specifically, the Project's circulation system would be designed and constructed in conformance with relevant goals and policies in the Countywide Plan's Transportation and Mobility Element that pertain to the Project's circulation system (see operations discussion below). For example, the Project would be consistent with the Countywide Plan Policy TM-2.2, which requires roadway improvements that reinforce the character of the area, such as curbs and gutters, sidewalks, landscaping, street lighting, and pedestrian and bicycle facilities pursuant to the County's Development code. For further details, see **Table 4.11-4: Consistency with the Countywide Plan**, within **Section 4.11: Land Use and Planning** of this Draft EIR.

The Project would include the construction of three new roads (Public Streets "A," "B" and "C") and improvements and minor realignment to the existing private Entry Road (Street "D") and improvements to the existing private VIP Access Road (on-site and off-site), that would provide access to the Project. Street "D" and VIP Access road would be converted to public roadways. Furthermore, construction of the Project would also include off-site improvements for Opening Year 2024, Opening Year 2027, and Horizon Year 2040 to support operations through horizon year 2040. These off-site improvements may include a combination of fee payments to established programs, construction of specific improvements, payment of a fair-share contribution toward future improvements, or a combination of these approaches.⁴ The

⁴ Kimley-Horn and Associates (2022). Traffic Study for Speedway Commerce Center II Specific Plan Project. Page 104

project fair share proportion at deficient study intersections under Horizon Year 2040 conditions are further addressed in the level of service (LOS) analysis in **Appendix L**.⁵

The Project also includes off-site improvements to two existing private at-grade rail crossings along the Project's western boundary located near Napa Street (at the Next Gen motorsports facility's existing driveway at the Napa Street cul-de-sac) and on VIP Access Road. The existing private at-grade rail crossing near the Napa Street cul-de-sac will be where the new public Street "A" would cross the existing spur line. The existing private at-grade crossing at VIP Access Road would be where the new public Street "D" would cross the existing spur line. In addition, off-site improvements to one existing public at-grade rail crossing at San Bernardino Avenue are proposed. These improvements to the existing crossings require review and approval by the California Public Utilities Commission (CPUC) once the SCCIISP EIR is certified. Additionally, the two existing rail crossings where Street "A" and Street "D" would cross are currently private but would be considered public upon approval by the CPUC and dedication of Street "A" and Street "D" as public roads, following approval of the Project and certification of this EIR.

The Project's on-site and off-site circulation/roadway improvements would be constructed in accordance with all applicable Countywide development code circulation and transportation regulations or consistent with the SCCIISP and in support of Countywide transportation-related policies to minimize impacts to traffic and circulation during construction activities. Therefore, construction-related impacts associated with the Project's proposed roadway improvements would not conflict with an applicable program plan, ordinance or policy addressing the circulation system. As noted above, off-site circulation/roadway improvements are further discussed in **Appendix L**.

Although buildout of the Project could result in an increased demand of public transportation as employment opportunities increase, public transit agencies (OmniTrans) would be responsible for routinely reviewing and adjusting their ridership schedules and service destinations to accommodate public demand. Thus, implementation of the Project would not conflict with local public transit services.

Furthermore, the Project would provide pedestrian sidewalks along street sections within the Project site including opportunities for enhanced pedestrian connections between parking fields/drop lots. Additionally, the Project would provide a 10-foot-wide multi-use trail along proposed Street "A" which would allow pedestrians and bicyclists greater accessibility throughout the Project site. As such, the Project would be consistent with Countywide Plan Policies TM-4.7, TM-4.8, and TM-4.9 (see **Table 4.11-4: Consistency with the Countywide Policy Plan** in **Section 4.11: Land Use and Planning**).

Overall, the Project would not conflict with a program plan, ordinance or policy addressing the circulation system during the short-term construction phases of the Project. Impacts would be less than significant.

⁵ Note that the LOS discussion is provided for informational purposes only.

Operations

As stated above, the Project would be required to comply with the Complete Street Act of 2008, as well as goals and policies from the Countywide Plan Transportation and Mobility Element which pertain to the Project's transportation improvements.

Transportation and Mobility Element

The Project would be consistent with the Countywide Plan Transportation and Mobility Element's goals and policies by improving the operational conditions of the existing roadway network, satisfying the local and subregional mobility needs of residents, visitors and businesses in unincorporated areas, and improving access and connectivity among the Project area.

For example, the Project would improve internal and off-site roadways which would generally contribute to the improvement of the County's transportation system. Access to and throughout the Project would be provided via the three new public collectors (Public Streets "A," "B" and "C") and improvements and minor realignment to the existing private Entry Road (Street "D") and improvements to the existing private VIP Access Road (on-site and off-site), proposed by the Project and access to the development within the Planning Areas would be through private access driveways that would be designed in accordance with the SCCIISP road design standards and the goals and policies of the Transportation and Mobility Element.

The Project would comply with Policy TM-3.1, VMT Reduction, which requires development to reduce household and employment VMT. The Project includes a Traffic Study and VMT analysis that promotes circulation improvements (see above) and VMT reduction measures or transportation demand management (TDM) related improvements, respectively. Note that VMT is the current standard for evaluating transportation impacts under CEQA. However, it is understood that local land uses agencies such as the County may continue to recognize LOS within their respective plans, programs, ordinances, and policies. See Impact 4.17-2 below concerning the Project's VMT-related impacts.

Furthermore, the Project would comply with Policy TM-4.8 and 4.9, regarding local bicycle and pedestrian connectivity and safety, as the Project proposes improvements that would include future construction of pedestrian connections from Cherry Avenue, Randall Avenue, Merrill Avenue to the parking field/drop lots, Rancho Vista, Napa Street, and the existing private VIP Access Road into the Project area and within the new right of way improvements that connect to each Planning Area and to the Next Gen motorsports facility. Additionally, a multi-use trail connection is proposed along Street "A" that would connect Cherry Avenue to Napa Street and support future local trail systems.

Overall, the Project would not conflict with a program, plan, ordinance, or policy, addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. The Project includes roadway improvements that would be designed in accordance with applicable federal, state, and local provisions, design requirements, and policies. Furthermore, roadway improvements may include a combination of fee payments to established programs, construction of specific improvements, and payment of a fair-share contribution toward future improvements (see **Appendix L** for more details). Therefore, impacts under the Project would be less than significant.

Mitigation Measures

No mitigation measures are required.

Impact 4.17-2: *Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?*

Level of Significance: Less than Significant Impact

As discussed in **Section 4.17.4** above, comprehensive updates to CEQA and the State CEQA Guidelines require projects to use VMT to determine project impacts. The VMT impact analysis for the Project is presented below.

Project VMT⁶

The VMT analysis was completed using the most current version of the SBTAM Model. The model is a trip-based model and considers interaction between different land uses based on socio-economic data such as population, households, and employment. Adjustments in socio-economic data (employment) were made to the appropriate Traffic Analysis Zones (TAZ) in the SBTAM Model to reflect the Project's proposed land uses. The model was refined to include additional TAZs and local traffic access for the Project area.

As stated above, three new roads would be constructed to provide access to the Project: Street "A," Street "B" and Street "C" and improvements and minor realignment to the existing private Entry Road (Street "D") and improvements to the existing private VIP Access Road (on-site and off-site). The network inputs in the SBTAM model are included in Attachment A of **Appendix L**. The potential change in travel patterns due to construction of these roadway connections and their effect on VMT is included in the analysis. The current version of the SBTAM Model maintains a base year condition of 2016 which, for the purposes of analysis, is considered to be representative of existing conditions because it is the most recent subregional model tool available for VMT analysis in San Bernardino County. The planning horizon for the SBTAM Model is 2040.

VMT analysis was conducted for existing and cumulative scenarios and results were compared to the existing conditions. The analysis includes the following scenarios:

- **Existing Conditions** - based on 2016 SBTAM Model conditions
- **Existing Plus Project Conditions** – Based on 2016 SBTAM Model with proposed Speedway Commerce Center II land uses
- **Cumulative No Project Conditions** – Based on 2040 SBTAM Model conditions without proposed Speedway Commerce Center II land uses.
- **Cumulative Plus Project Conditions** – Based on 2040 SBTAM Model conditions with proposed Speedway Commerce Center II land uses.

As described in the County's traffic impact study guidelines, VMT significance thresholds are based on land use type, broadly categorized as efficiency metrics. The VMT analysis concluded that the efficiency

⁶ Kimley-Horn and Associates. 2022. *Draft SB 743 VMT Analysis for Speedway Commerce Center II Specific Plan*.

metric relevant to the Project was the VMT/employee (Employee-Based VMT). The calculation of VMT efficiency metrics has two components – the total number of trips generated and the average trip length of each vehicle. As the proposed project has only non-residential trips, trip attractions were used from all home-based-work trip purpose matrices, peak and off-peak person trip matrices, skim (distances) matrices and appropriate occupancy rates. The Project’s effect on VMT for the region was analyzed based on total VMT, which includes all vehicle types and trip purposes, including the truck trips and non-commute retail trips.

Using the peak and off-peak person trip matrices, skim (distances) matrices and appropriate occupancy rates, VMT was calculated for the Project’s TAZs. **Table 4.17-2: Project VMT Impact Evaluation – Efficiency Metrics**, shows the efficiency metric results for the analysis scenarios.

Table 4.17-2: Project VMT Impact Evaluation – Efficiency Metrics

Analysis Scenario	Employment-Based VMT/EMP	Threshold Performance
San Bernardino Unincorporated County Average	19.6	
San Bernardino Unincorporated County Threshold (4% below Average)*	18.8	
Existing Plus Project	-	
Project HBW VMT/Employee	17.5	-6.9%
Cumulative Plus Project Conditions	-	
Project HBW VMT/Employee	16.9	-10.1%
*Source: Threshold of 4% below unincorporated county average based on San Bernardino County Transportation Impact study Guidelines (July 9, 2019)		

Based on the results shown in **Table 4.17-2** and the County traffic impact study guidelines, the following initial unmitigated results would occur:

- The Project’s Employment-Based VMT land uses do not exceed the unincorporated threshold under any project scenario.
- Local-serving Retail under 50,000 square feet per store, is presumed to not have a finding of a significant impact.

The VMT analysis also evaluated the Project’s effect on VMT for the region by calculating link based total VMT per service population for both San Bernardino County and Unincorporated San Bernardino County without and with the Project. The link based VMT per service population includes all trip purposes and vehicle types, including truck trips. **Table 4.17-3: VMT Per Service Population**, shows the resulting findings.

Table 4.17-3: VMT Per Service Population

San Bernardino County				
	2016		2040	
	No Project	With Project	No Project	With Project
VMT	89,609,307	89,898,110	120,109,275	120,472,164
Service Population	2,930,939	2,943,792	3,749,645	3,762,498
VMT per Service Population	30.6	30.5	32.03	32.02
Impact	NO	NO	NO	NO
Unincorporated San Bernardino County				
	2016		2040	
	No Project	With Project	No Project	With Project
VMT	15,684,906	15,673,899	21,554,913	21,664,693
Service Population	397,145	409,998	514,908	527,761
VMT per Service Population	39.5	38.2	41.9	41.1
Impact	NO	NO	NO	NO

Given the lack of specifics, it is not possible to fully account for the effect of specific design principles, policies, and improvements that will reduce VMT as part of this analysis. The model did not account for pedestrian, bicycle, transit, and other TDM related improvements. Since the Project includes several such elements, the following information discusses potential VMT reductions from these Project features that are likely to occur. Although many of the VMT reducing design principles, policies, and improvements that are listed below may ultimately potentially reduce the Project's VMT, necessary details to assure implementation and appropriately evaluate their effect are not yet available. However, as shown in **Table 4.17-3**, the Project VMT per service population is less than the baseline VMT per service population and Project's VMT does not exceed the unincorporated threshold. Therefore, the Project would have a less than significant impact.

VMT Reductions

The following Project Design Features (PDFs) PDFs TRANS-1 through TRANS-3, identified in Section 4.17.4 above, would further help to reduce the Project's VMT.

Based on California Air Pollution Control Officers Association (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures (August 2010), the estimated reduction in VMT due to implementation of TDM measures as part of the PDFs is shown in **Table 4.17-4: PDFs/TDM Measures and VMT Reductions**.

Table 4.17-4: PDFs/TDM Measures and VMT Reductions

TDM Strategy	Potential VMT Reduction
Increase Transit Accessibility (LUT-5)	6.3%
Pedestrian Network Improvements (SDT-1)	2.0%
Voluntary CTR Program (TRT-1)	5.2%
Total	13.5%

The Project VMT Employee with the potential VMT reductions due to TDM measures as part of the PDFs is shown in **Table 4.17-5: Project VMT with TDM Measures**

Table 4.17-5: Project VMT with TDM Measures

Analysis Scenario	Employment-Based VMT/EMP	VMT/EMP with TDM
Existing Plus Project	17.5	15.1
Cumulative Plus Project Conditions	16.9	14.6
*Source: Threshold of 4% below unincorporated county average based on San Bernardino County Transportation Impact study Guidelines (July 9, 2019)		

Project VMT Comparison with VMT per Employee for Entire San Bernardino County

The Project's VMT/Employee with potential VMT reductions from the PDFs were also compared to the average VMT per Employee for the entire County (including incorporated areas) for informational purposes only. **Table 4.17-6: Project VMT Evaluation – Efficiency Metrics (Incorporated and Unincorporated County Areas)**, shows the efficiency metric results comparison to the entire County that includes both incorporated and unincorporated areas.

**Table 4.17-6: Project VMT Evaluation – Efficiency Metrics
(Incorporated and Unincorporated County Areas)**

Analysis Scenario	Employment-Based VMT/EMP	Threshold Performance
San Bernardino County Average	17.1	
Existing Plus Project	-	
Project HBW VMT/Employee	15.1	-11.7%
Cumulative Plus Project Conditions	-	
Project HBW VMT/Employee	14.6	-14.6%
*Source: Threshold of 4% below unincorporated county average based on San Bernardino County Transportation Impact study Guidelines (July 9, 2019)		

As shown in **Table 4.17-6**, Project VMT/employee is expected to be 11.7 percent below the County average for existing conditions and 14.6 percent below the County average for cumulative conditions with the application of TDM strategies as part of PDFs.

Conclusion

Overall, the Project's Employment-Based VMT do not exceed the threshold under any Project scenario and as a result are determined to not have a significant transportation impact based on the County's adopted thresholds, which are based on the Unincorporated County areas. With PDFs implemented, the Project's modeled Employment Based VMT would be substantially lower than the existing VMT/Employee for the entire County. In addition, local-serving Retail under 50,000 square feet per store, per the County's traffic impact study guidelines, is presumed to not have a significant impact. The VMT associated with the employees of the commercial component is included in the Employment-Based VMT analysis. The Project proposes approximately 261,360 square feet of ancillary commercial uses. Finally, the Project's effect on Roadway VMT per Service Population does not exceed the threshold under any Project scenario and as a result is determined to not have a significant transportation impact.

Mitigation Measures

No mitigation measure is needed.

Impact 4.17-3: *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)?*

Level of Significance: *Less than Significant Impact*

Construction and Operations

The Project would not substantially increase hazards due to a geometric design feature or incompatible uses. The Project's improvements to the site's existing internal circulation includes modifications or enhancements to the existing private Entry Road (Street "D") and VIP Access Road. These internal roads may be modified or enhanced to accommodate the traffic trips anticipated with the Project, including improvements and minor realignment to the existing private Entry Road (Street "D") and improvements to VIP Access Road, to provide access to the Project and the Next Gen motorsports facility. Private drives aisles are proposed to connect individual buildings within the Project area. In addition, the Project would improve the existing circulation by constructing three new roads: Street "A," Streets "B" and Street "C." The Project also includes the conversion of two existing off-site private at-grade rail crossings at the existing Napa Street Driveway and VIP Access road to public at grade rail crossings, and improvements to an existing off-site public at-grade rail crossing at San Bernardino Avenue located off-site south of the Project site. The improvements proposed as part of the Project are as follows:

- **Street "A"** - Street "A" is a proposed east-west public roadway which would be designed as a collector roadway. It would connect Cherry Avenue on the Project's eastern edge with existing Napa Street on the west. It would form an intersection with Rancho Vista Drive to the east of Cherry Avenue. Street "A" improvements would consist of a 96-foot right-of-way with four travel lanes, a 14-foot-wide painted median, and pedestrian improvements and walkways and parkway plantings. A 10-foot-wide multi-use trail is proposed on the southern edge of the street. In addition, the existing private at-grade rail crossing at the Napa Street Driveway will be converted to a public at grade rail crossing as part of the connection of Street "A" to Napa Street and will include roadway and pedestrian safety improvements consistent with the CPUC General Order requirement.
- **Street "D"** - Street "D" is an existing private street (Entry Road) that would be converted to a public east-west roadway which would be designed as a collector roadway. Street "D" would connect Cherry Avenue on the Project area's eastern edge and to the existing private VIP Access Road (on-site and off-site) on the western edge of the plan area. The cross section for Street "D" is variable, with several different conditions and rights-of-way. See the Specific Plan for further details. Additionally, the existing on-site private at-grade rail crossing on VIP Access Road will become part of Street "D" when it's converted to a public at grade rail crossing and will include roadway safety improvements consistent with the CPUC General Order requirement.
- **VIP Access Road** – VIP Access Road is an existing predominately north-south private roadway that would connect future Street "D" (the existing private Entry Road) to San Bernardino Avenue to the south. VIP Access Road would be converted to a public roadway upon Project approval.

Improvements to VIP Access Road include a 50-foot right-of-way with two southbound travel lanes and one northbound travel lane. Note that the existing east-west portion of the existing private VIP Access Road will be re-aligned and re-named as Street “D” once Street “D” is converted to a public road.

- **Streets “B” and “C”** – Streets “B” and “C” are proposed north-south public roadway which would be designed as collector roadways. They would serve as internal circulation routes and connect Street’s “A” and “D.” These streets would also serve as a pedestrian connection between the Next Gen motorsports facility and the additional parking fields/drop lots located within Planning Areas. Improvements for Streets “B” and “C” include a 60-foot right-of-way with two travel lanes, a 12-foot painted median, and six-foot sidewalks.
- **San Bernardino Avenue (existing)** – San Bernardino Avenue is an existing off-site roadway located south of the Project. Improvements to San Bernardino Avenue will include installation of a traffic signal at the intersection with VIP Access Road, associated inter-connection with the existing signalized intersection at Commerce Drive and associated roadway/stripping improvements. There is an existing off-site public at-grade rail crossing on San Bernardino Avenue approximately 300 feet west of VIP Access Road. Improvements to this public at-grade rail crossing and will include roadway and pedestrian safety improvements consistent with the CPUC General Order requirement.

The Project’s roadways, ingress and egress, interior circulation elements, and improvements would be designed in conformance with the development and design standards of the SCCIISP, the County’s Department of Public Works, Transportation Design Division standards, applicable San Bernardino County Congestion Management Program procedures, and the CPUC. Roadway improvements for the Project site would be designed and constructed to meet the SCCIISP design standards or County requirements for street widths, corner radii, and intersection control. Additionally, incorporated design standards in the SCCIISP would be tailored specifically for Project access requirements that would result in the safe and efficient movement of traffic within and throughout the Project site.

Street “A” (at Napa Street) existing off-site at-grade rail crossing and Street “D” (at VIP Access Road) existing on-site at-grade rail crossing would generally remain the same when the street improvements are installed. Alterations at these two locations will require review pursuant to the California Public Utilities Commission (CPUC), to change from “private crossing” to “public crossing” when the streets are dedicated as public. This application process would be conducted after approval of the Final EIR in conjunction with applicable agencies. The CPUC will review the crossing to ensure that the improvements meet the application requirements for approval and safety protocols. In addition, the Master Developer would consult with UPRR regarding the off-site improvements at San Bernardino Avenue. Therefore, the Project’s railroad crossing improvements would be designed consistently with the requirements set by CPUC, CA-MUTCD, and UPRR.

Adhering to applicable requirements would ensure that the Project would not include any sharp curves for the public and Project uses, or create dangerous intersections, or design hazards. Furthermore, the Project does not propose incompatible land uses, such as utilizing farm equipment, that would result in a potential significant traffic safety hazard. Large heavy-duty machinery such as excavators, graders, rollers, etc., would be signed and staged appropriately. Furthermore, the Master Developer and/or Site

Developer, as applicable, would implement standard safety practices during construction activities and will implement standard safety practices consistent with the California Division of Occupational Safety and Health (Cal/OSHA). Therefore, potential impacts concerning design hazards would be less than significant.

Mitigation Measures

No mitigation measures are necessary.

Impact 4.17-4: Would the project result in inadequate emergency access?

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction

The Project encompasses approximately 433 acres of the approximately 522-acre site that is currently developed with the Next Gen motorsports facility. Construction of the Project, including recordation of final subdivision map(s) and design review would be progressively implemented in stages, provided that vehicular access, public facilities, and infrastructure are constructed to adequately service the development, or as needed for public health and safety. During demolition and construction, the Project would not result in any significant emergency access impacts as the site currently has adequate access at Merrill Avenue, Rancho Vista Drive, and Randall Avenue off of Cherry Avenue on the site's eastern edge, and Napa Street and VIP Access Road on the site's western edge. The access at Randall Avenue and Merrill Avenue is signalized. All of these access points will be maintained during Project demolition and construction.

In case of an emergency, the Project's construction manager would have assigned staff to flag emergency response vehicles and direct them to the emergency location. Unimpeded access would be provided throughout the Project site by ensuring construction vehicles are not parked or placed in a manner that would impede access for emergency response vehicles. Site conditions, during and after the workday, would be either maintained or left in a condition that adheres to Division of Occupational Safety and Health (OSHA) safety standards to prevent any hazardous condition that may affect construction staff and emergency responders.

The Project site would provide vehicular access from three new public collectors (Public Streets "A," "B," and "C") and improvements and minor realignment to the existing private Entry Road (Street "D") and off-site improvements to VIP Access Road and Cherry Avenue and roads would be phased with development of the site. Access would be maintained throughout the Project site for use by construction staff/inspectors, construction equipment and materials delivery/removal, and emergency response vehicles. Access roads would be maintained in good condition in order to allow for the safe passage for emergency response vehicles.

With the measures described above, along with Project adherence to applicable regional and local regulations, and provision of numerous access points, impacts related to inadequate emergency access during construction would be less than significant.

Operations

All existing site access from surrounding roadways would be maintained. Access within the Project site would be provided via three new public collectors (Public Streets “A,” “B” and “C”) and improvements and minor realignment to the existing private Entry Road (Street “D”) and off-site improvements to VIP Access Road and Cherry Avenue. Driveways would be continually maintained to allow for the safe ingress and egress to/from the Project site. Additionally, driveways would be designed in accordance with all applicable design and safety standards required by adopted fire codes, safety codes, and building codes established by the County’s Transportation Department and Fire Protection District.

As mentioned above, the Project includes approximately 433 acres of the approximately 522-acre site that is currently developed with the Next Gen motorsports facility. The Next Gen motorsports facility is governed by the Speedway Development Plan which authorizes up to six premier race weeks per year with additional ancillary events that are permitted per the plan. The Next Gen Project, approved by the County in June 2021 through a revision to the Speedway Planned Development, would replace the existing 2-mile track with a 0.67-mile track and upgraded amenities with the same type of operations and events previously held at the Next Gen motorsports facility. Because the Project would surround the Next Gen Project and both projects would operate concurrently, emergency access considerations for the Project take into account those of the Next Gen Project.

The CEQA EIR Addendum approved for the Next Gen Project (SCH# 94082080 and 2008081077) determined that the Next Gen Project would create a less than significant impact with respect to emergency services with implementation of Mitigation Measure PS-2 (California Speedway 1995 Final EIR) that requires a Fire Protection Master Plan, to be reviewed, approved, and modified as necessary by the County Fire Department, for fire protection and emergency response at events. Among other things, the Fire Protection Master Plan is required to address emergency access routes and means to address traffic congestion to facilitate routing of emergency personnel and equipment. Further, in accordance with Mitigation Measure TC-4 (California Speedway 1995 Final EIR, as amended by the County in 2003), the Next Gen Project currently prepares (and the Next Gen Project will be required to prepare) a Traffic Management Plan prior to race events and, and as required, ancillary events, that is reviewed and approved by the County in consultation with affected agencies.

The Project would construct new public roads, improving access to and within the site, and construct additional transportation improvements, as discussed above. The Project would therefore improve emergency access to the site, including to the proposed Planning Areas and the Next Gen motorsports facility. With the Project buildout and operation, however, there would be an increase in traffic during major race and ancillary events held at the Next Gen motorsports facility. As race day access and management during a race event is dependent on the size and type of event and is subject to change with traffic conditions, and phased Project improvements, a Transportation Management Association shall be formed to prepare a Traffic Management Plan for applicable events at Next Gen motorsports facility in accordance with **Mitigation Measure (MM) TRANS-1**, which would require the Master Developer to form a Transportation Management Association and **MM TRANS-2**.

Additionally, the Project would be reviewed by the County of San Bernardino Public Works and Fire Departments to ensure the project sufficiently avoids hazards related to design features and that adequate emergency access is provided to the site. As a result, the Project would not substantially increase delays on street segments substantially that would result in inadequate emergency access. Therefore, impacts would be less than significant with the implementation of mitigation measures.

Mitigation Measures

MM TRANS-1 Master Developer will form a Transportation Management Association by the date of issuance of the first building permit issued for the development.

MM TRANS-2 A comprehensive traffic management plan developed by the Transportation Management Association, shall be submitted and approved by the County Engineer to manage traffic to and from the Next Gen motorsports facility and SCCIISP Project during race weekends and as required during ancillary events. Manual traffic control, including signage, traffic control personnel, and routing shall be provided by Next Gen motorsports facility to ensure that all intersections affected by race-related or ancillary event-related traffic, will function at LOS E or better at midday and in the p.m. peak hour on Friday, as well as all day Saturday and Sunday and on weekdays during ancillary events. The TMP shall be submitted a minimum of 30 days prior to each event.

In addition, manual traffic control shall also be employed as determined by the County of San Bernardino in consultation with the California Highway Patrol; Cities of Fontana, Rancho Cucamonga, and Ontario; and the Fontana Unified School District, where needed, to safely move traffic through intersections affected by traffic.

4.17.6 Cumulative Impacts

Construction

Construction activities associated with the Project, in conjunction with nearby cumulative projects, would result in both temporary and long-term traffic impacts to local roadway system. However, the Project is not anticipated to conflict with transportation plans or policies and is consistent with all relevant Countywide goals and policies, as listed in **Section 4.17.3: Regulatory Setting**, above. As part of the County's discretionary review and approval process, all cumulative development projects are required to reduce construction traffic impacts on the local circulation system and implement mitigation measures pursuant to CEQA provisions. Consequently, future development on the cumulative development sites would not result in significant environmental transportation-related impacts, nor would future development on the cumulative development sites conflict with or obstruct a state or local plan or regulation related to transportation. Therefore, the Project would not cause a cumulatively considerable transportation impact, and no mitigation measures are required during the Project's construction phase.

Operations

As discussed previously in Impact 4.17-2, the Project is not anticipated to result in VMT that would exceed the County's adopted thresholds of significance. However, as noted in Impact 4.17-4 above, with the

Project buildout and operation, there would be an increase in traffic during major race and ancillary events held at the Next Gen motorsports facility. Pursuant to **MM TRANS-1** and **MM TRANS-2**, the Transportation Management Association would prepare a Traffic Management Plan for applicable events to ensure that all intersections affected by race-related or ancillary event-related traffic, will function at LOS E or better at midday and in the p.m. peak hour on Friday, as well as all day Saturday and Sunday and on weekdays during ancillary events. Consistent with the Project, all cumulative development projects would be required to reduce VMT-related impacts and implement TDMs, PDFs, or mitigation measures pursuant to CEQA guidelines. Therefore, the Project would not result in a cumulatively considerable contribution during the operations phase.

4.17.7 Significant Unavoidable Impacts

No significant and unavoidable impacts concerning transportation have been identified.

4.17.8 Supplemental Traffic Analysis

A Traffic Study was conducted for the Project in accordance with the traffic study requirements of the County of San Bernardino and with the SBCTA CMP. However, the supplemental traffic analysis is provided for informational purposes only, as additional delay – to an intersection or roadway segment – is no longer required by or considered a significant impact under CEQA. Refer to **Appendix L** and **Section 4.11: Land Use and Planning, Table 4.11-4: Consistency with the Countywide Plan** for further discussion regarding the LOS analysis conducted for the Project and the Project’s consistency with relevant goals and policies pertaining to LOS.

4.17.9 References

- County of San Bernardino. 2020. *The Countywide Plan, Transportation and Mobility Element*. <http://countywideplan.com/policy-plan/beta/tm/>.
- Kimley-Horn and Associates. 2020. *Draft Addendum to Auto Club Speedway Final Environmental Impact Report*. State Clearinghouse #2008081077. Riverside, CA.
- Kimley-Horn and Associates. 2022. *Traffic Study for the Proposed Speedway Commerce Center II Specific Plan Project*. Orange, CA. Appendix L.
- Kimley-Horn and Associates. 2022. *SB 743 VMT Analysis*. Orange, CA. Appendix L.

4.18 TRIBAL CULTURAL RESOURCES

4.18.1 Introduction

This section of the EIR evaluates the potential tribal cultural resource impacts associated with the development of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project). Historically, the term “cultural resources” encompasses archaeological, historical, paleontological, and tribal cultural resources, including both physical and intangible remains, or traces left by historic or prehistoric peoples. Tribal resources refer to either a site, feature, place, or 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. As discussed in **Section 3.0: Project Description**, the Project is for the development of e-commerce, high-cube logistics, and ancillary commercial facilities. The analysis is based primarily on:

- PaleoWest (2022) Cultural Resource Assessment (CRA) for the Speedway Commerce Center II Specific Plan Project, San Bernardino County, California (located in EIR **Appendix E**).
- County of San Bernardino (2020). *San Bernardino Countywide Plan*.
- County of San Bernardino (2019). *San Bernardino Countywide Plan Draft Environmental Impact Report*.

The cultural evaluations were conducted in compliance with California Public Resources Code (PRC) § 5024.1 to identify prehistoric archaeological and historic resources in the Project area and evaluate potential impacts that could result from implementation of the Project. In accordance with PRC § 21082.3 and California Government Code (CGC) § 6254(r), due to the confidential nature of the location of cultural resources, this section does not include maps or location data.

4.18.2 Environmental Setting

Existing Conditions

The Project lies between the cities of Fontana and Rancho Cucamonga in southwestern unincorporated San Bernardino County. The Project encompasses approximately 433 acres of land within the 522-acre Auto Club Speedway (ACS) property. The Project site consists of 10 parcels (Assessor Parcel Numbers 0231-011-09, -10, -11, -12 and 0231-111-06, -10, -17, -18, -19, -20) bounded by Cherry Avenue to the east, an active freight and passenger rail line to the north, the West Valley Materials Recycling Facility to the west, and California Steel Industries to the south.

Ethnographic Context

Ethnography is the descriptive and analytic study of the culture of particular groups or communities. An ethnographer seeks to understand a community through interviews with its members and often through living in and observing it (a practice referred to as "participant observation").

Ethnographic Setting¹

Archival research and published reports suggest the Project area is situated where three traditional use territories of Native American groups meet. The traditional use territories of the Serrano, Cahuilla, and Gabrielino come together just southwest of the present-day city of San Bernardino which is very near the Project area. These cultural groups all spoke languages belonging to the Takic branch of the Shoshonean family, a part of the larger Uto-Aztecan language stock. In the following section, a brief synopsis of Serrano, Cahuilla, and Gabrielino ethnography is presented.

The Cahuilla and Serrano belonged to nonpolitical, nonterritorial patrimoieties that governed marriage patterns as well as patrilineal clans and lineages. Each clan, “political-ritual-corporate units” composed of three to 10 lineages, owned a large territory in which each lineage owned a village site with specific resource areas. Clan lineages cooperated in defense, in large communal subsistence activities, and in performing rituals. Clans were apt to own land in the valley, foothill, and mountain areas, providing them with the resources of many different ecological niches. Unlike their Cahuilla and Serrano neighbors, the Gabrielino had a hierarchically ordered social class that included groupings of elite, middle class, and commoners. Class membership played a major role in determining individual lifestyles, as it depended upon both ancestry and wealth.

In prehistoric times Cahuilla, Gabrielino, and Serrano shelters are believed to have been dome-shaped; after contact they tended to be rectangular in shape. Cahuilla and Serrano shelters were often made of brush, palm fronds, or arrowweed while the Gabrielino utilized reed. Most of the Serrano and Cahuilla domestic activities were performed outside the shelters within the shade of large, expansive ramadas; windbreaks, made of vertical poles covered with rush mats, provided open-air food preparation and cooking areas at Gabrielino settlements.

The Cahuilla, Gabrielino, and Serrano were, for the most part, hunting, collecting, harvesting, and proto-agricultural peoples. As in most of California, acorns were a major staple, but the roots, leaves, seeds, and fruit of many other plants also were used. Fish, birds, insects, and large and small mammals were also available.

To gather and prepare these food resources, the Cahuilla, Gabrielino, and Serrano had an extensive inventory of equipment including bows and arrows, traps, nets, disguises, blinds, spears, hooks and lines, poles for shaking down pine nuts and acorns, cactus pickers, seed beaters, digging sticks and weights, and pry bars. In addition, the Cahuilla also had an extensive inventory of food processing equipment including hammers and anvils, mortars and pestles, manos and metates, winnowing shells and baskets, strainers, leaching baskets and bowls, knives (made of stone, bone, wood, and carrizo cane), bone saws, and drying racks made of wooden poles to dry fish.

Mountain tops, unusual rock formations, springs, and streams are held sacred to the Cahuilla, Gabrielino, and Serrano, as are rock art sites and burial and cremation sites. In addition, various birds are revered as

¹ PaleoWest. 2021. *Cultural Resource Assessment (CRA) for the Speedway Commerce Center II Specific Plan Project, San Bernardino County, California*

sacred beings of great power and sometimes were killed ritually and mourned in mortuary ceremonies similar to those for important individuals. As such, bird cremation sites are sacred.

Pursuant to PRC § 21080.3.1(b), formal notification has been provided to California Native American tribal representatives which may have interest in projects within the geographic area traditionally and culturally affiliated with the tribe(s). Native American groups may have knowledge about cultural resources in the area and may have concerns about adverse effects from development on Traditional Cultural Resources (TCRs).

Records Search and Field Survey

As discussed in **Section 4.5: Cultural Resources** and the CRA (see **Appendix E**), a records search was conducted October 2021 at the South Central Coastal Information System (SCCIC) at California State University, Fullerton, were consulted to identify prior studies and previously recorded cultural resources within 0.5-mile of the Project site. PaleoWest staff also examined historical maps and aerial images to characterize the developmental history of the Project site and surrounding area. This search revealed that 21 cultural resource studies have taken place within a 0.5-mile search radius of the Project site. Six of these previous studies include portions of the current Project site. In total, approximately 70 percent of the Project site has been previously inventoried for cultural resources. The review of the record search data indicates that five cultural resources have been previously documented within 0.5-mile of the Project site: Kaiser Steel Mill, two single family residences, Levy House, and West Fontana Flood Control Channel (see Table 4-2 of the CRA, **Appendix E**). All of these resources date to the historic period and include four buildings and one structure. No prehistoric archaeological resources were identified within the record search area.

The Project site lies within the mapped boundary of one of these resources, the Kaiser Steel Mill (CA SBR 4131H). The Kaiser Steel Mill was built in 1942 and was one of the largest steel production mills west of the Mississippi. Previous cultural resources studies completed within the vicinity of the Project site found that by 2008, all of the major components of the mill had been demolished and the resource was no longer extant. Other resources documented within the immediate vicinity of the Project include P-36-029538, the West Fontana Flood Control Channel, which lies along the northeastern boundary of the Project property. Archival information also suggests that the Metropolitan Water District's Upper Feeder Aqueduct was constructed through the southern portion of the Project site in the 1930s.

A pedestrian field survey of the Project site was conducted August 31, 2021. Although Native American participation in surveys is encouraged per County Policy CR-1.4 (see **Section 4.18.3: Regulatory Section**), it is not required. Due to overlapping tribal territories, local Native American groups were not invited to participate in the survey. No archaeological or historical built environment resources were identified as a result of the fieldwork effort. Although the Project area lies within the mapped boundary of the Kaiser Steel Mill, no evidence of the former mill was identified. Sediments across the Project area have been extensively disturbed by the construction and demolition of the mill and subsequent development of the ACS. As such, there is a low potential for encountering intact buried prehistoric or historic period archaeological deposits in the Project area. Based on these results, PaleoWest recommended a finding of

no impact to historical or archaeological resources under CEQA. No additional cultural resource management was recommended for the proposed Project.

Native American Consultation

In compliance with PRC § 21080.3.1(b), formal notification has been provided to California Native American tribal representatives which may have interest in projects within the geographic area traditionally and culturally affiliated with the tribe. Native American groups may have knowledge about cultural resources in the area and may have concerns about adverse effects from development on tribal cultural resources as defined in PRC § 21074.

As part of the CRA of the Project area, PaleoWest requested a search of the Sacred Lands File (SLF) from the Native American Heritage Commission (NAHC) on August 3, 2021. Results of the SLF search were obtained on August 27, 2021. The NAHC determined that there were no known Native American cultural resources within the immediate Project area. However, the NAHC suggested that 16 individuals representing 12 Native American tribal groups be contacted to request additional information about sensitive Native American resources in the Project vicinity. Outreach letters were sent to each of the Native American contacts on September 7, 2021 with follow up conducted on September 28, 2021. Four responses have been received to date:

- Lucy Padilla, Archaeologist for the Agua Caliente Band of Cahuilla Indians (ACBCI), emailed on September 8, 2021 and stated that the Project area is outside of their traditional use area. Therefore, the ACBCI would defer to other tribes in the area.
- The Gabrieleno Band of Mission Indians – Kizh Nation (Kizh Nation) responded via email on September 8, 2021 and requested the lead agency's contact information. This information was provided via email to the Kizh Nation on September 20, 2021; no further correspondence was received from the tribe. As discussed below, the Kizh Nation did contact the Lead Agency for consultation under SB 18 and AB 52.
- Jill McCormick, Historic Preservation Officer for the Quechan Indian Tribe, responded on September 9, 2021 and stated that the tribe did not wish to provide comments on the Project and would defer to more local tribes.
- On September 20, 2021, Ryan Nordness, Cultural Resource Analyst for the San Manuel Band of Mission Indians (SMBMI), emailed and stated that the proposed Project is not located near any known SLFs, Serrano village sites, or archaeological sites.

Further, in accordance with the requirements of Senate Bill (SB) 18, the County contacted the NAHC requesting a contact list of tribes with traditional lands or cultural places located in the area of the Project site. The NAHC provided a contact list and the County sent letters to all contacts on the list, on February 22, 2022. The County also sent out notification letters to the Native American tribes that had request notification per the requirements of Assembly Bill (AB) 52. Letters/email correspondence were received from the Quechan Indian Tribe (February 23, 2022) and Gabrielino Tongva Indians (February 22, 2022) during the SB 18 90-day period and AB 52 30-day period to inform the County that the tribes had no further comments on the Project as both would defer to more local tribes. Letters/email correspondence were received from the Gabrielino Indians/Kizh Nation and SMBMI requesting

consultation and proposed mitigation measures further described below. Refer to **Section 4.18.5: Impacts and Mitigation Measures** below. On February 23, 2022, the Gabrieleno Band of Mission Indians – Kizh Nation contacted the County to inform them that the Project is within their ancestral lands and they requested consultation. An email response was received on February 25, 2022 from the SMBMI that indicated that Project is within the Serrano ancestral territory and therefore, was of interest to the Tribe. The correspondence included the SMBMI Cultural Resources Department proposed language to include as Mitigation Measures for the Project for the protection of TCRs aimed at reducing potential impacts to those TCRs.

4.18.3 Regulatory Setting

State

Native American Heritage Commission

PRC § 5097.91 established the NAHC, the duties of which include inventorying places of religious or social significance to Native Americans and identifying known graves and cemeteries of Native Americans on private lands. PRC § 5097.91 also specifies protocols to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner.

California Senate Bill 18

Senate Bill (SB) 18 (Statutes of 2004, Chapter 905), which went into effect January 1, 2005, requires local governments (city and county) to consult with Native American tribes before making certain planning decisions and to provide notice to tribes at certain key points in the planning process. The intent 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.”

According to the Governor’s Office of Planning and Research Tribal Consultation Guidelines: Supplement to General Plan Guidelines, the following are the contact and notification responsibilities of local governments:

- Prior to the adoption or any amendment of a general plan or specific plan, a local government must notify the appropriate tribes (on the contact list maintained by the NAHC) of the opportunity to conduct consultations for the purpose of preserving, or mitigating impacts to, cultural places located on land within the local government’s jurisdiction that is affected by the proposed plan adoption or amendment. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe (CGC § 65352.3).
- Prior to the adoption or substantial amendment of a general plan or specific plan, a local government must refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the city or county’s jurisdiction. The referral must allow a 45-day comment period (CGC § 65352). Notice must be sent regardless of whether prior consultation has taken place. Such notice does not initiate a new consultation process. Local government must send a notice of a public hearing, at least 10 days prior to the hearing, to tribes who have filed a written request for such notice (CGC § 65092).

California Assembly Bill 52

Signed into law in September 2014, California Assembly Bill (AB) 52 created a new class of resources – tribal cultural resources – for consideration under CEQA. Tribal cultural resources may include sites, features, places, cultural landscapes, sacred places, or objects with cultural value to a California Native American tribe that are listed or determined to be eligible for listing in the California Register of Historical Resources (CRHR), included in a local register of historical resources, or a resource determined by the lead CEQA agency, in its discretion and supported by substantial evidence, to be significant and eligible for listing on the CRHR. AB 52 requires that the lead CEQA agency consult with California Native American tribes that have requested consultation for projects that may affect tribal cultural resources. The lead CEQA agency shall begin consultation with participating Native American tribes prior to the release of a negative declaration, mitigated negative declaration, or EIR. Under AB 52, a project that has potential to cause a substantial adverse change to a tribal cultural resource constitutes a significant effect on the environment unless mitigation reduces such effects to a less than significant level.

PRC Sections 5097.91, 5097.98, and 5097.94 and the Native American Heritage Commission

PRC § 5097.91 established the NAHC, the duties of which include inventorying places of religious or social significance to Native Americans and identifying known graves and cemeteries of Native Americans on private lands. PRC § 5097.98 specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner.

PRC § 5097.94 establishes the powers and duties of the NAHC, including, but not limited to:

- a) To identify and catalog places of special religious or social significance to Native Americans, and known graves and cemeteries of Native Americans on private lands. The identification and cataloging of known graves and cemeteries shall be completed on or before January 1, 1984. The commission shall notify landowners on whose property the graves and cemeteries are determined to exist, and shall identify the Native American group most likely descended from those Native Americans who may be interred on the property.
- b) To make recommendations relative to Native American sacred places that are located on private lands, are inaccessible to Native Americans, and have cultural significance to Native Americans for acquisition by the state or other public agencies for the purpose of facilitating or assuring access thereto by Native Americans.
- c) To make recommendations to the Legislature relative to procedures that will voluntarily encourage private property owners to preserve and protect sacred places in a natural state and to allow appropriate access to Native American religionists for ceremonial or spiritual activities.

For a complete list of powers and duties, visit: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC§ionNum=5097.94.

California Health and Safety Code, Sections 7050 and 7052

Health and Safety Code (HSC) § 7050.5, declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbance must cease, and the county coroner must be

notified. HSC § 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

Local

The Countywide Plan

The following goal and policies from The Countywide Plan's Cultural Resources Element² are pertinent to the Project:

- Goal CR-1** **Cultural Resources. Tribal cultural resources that are preserved and celebrated out of respect for Native American beliefs and traditions.**
- Policy CR-1.1** **Tribal notification and coordination.** We notify and coordinate with tribal representatives in accordance with state and federal laws to strengthen our working relationship with area tribes, avoid inadvertent discoveries of Native American archaeological sites and burials, assist with the treatment and disposition of inadvertent discoveries, and explore options of avoidance of cultural resources early in the planning process.
- Policy CR-1.2** **Tribal planning.** We will collaborate with local tribes on countywide planning efforts and, as permitted or required, planning efforts initiated by local tribes.
- Policy CR-1.3** **Mitigation and avoidance.** We consult with local tribes to establish appropriate project-specific mitigation measures and resource-specific treatment of potential cultural resources. We require project applicants to design projects to avoid known tribal cultural resources, whenever possible. If avoidance is not possible, we require appropriate mitigation to minimize project impacts on tribal cultural resources.
- Policy CR-1.4** **Resource monitoring.** We encourage active participation by local tribes as monitors in surveys, testing, excavation, and grading phases of development projects with potential impacts on tribal resources.

4.18.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G has been used as significance criteria in this section. Accordingly, the Project may have a significant environmental impact if one or more of the following occurs:

- 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:
 - The Project is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or
 - The Project contains a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in

² San Bernardino County. 2020. *Cultural Resources Element*. <http://countywideplan.com/policy-plan/beta/ch/> (accessed October 2021).

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.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining the Project's level of significance concerning tribal cultural resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impacts. As applicable, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts.

Approach to Analysis

This analysis of impacts on cultural and tribal resources examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field reconnaissance conducted by PaleoWest; confidential record search data from the South Central Coastal Information Center of the California Historical Resources Information System; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that any components of the Project may result in "substantial" adverse effects on tribal cultural resources considers the existing site's resource value and the severity of the Project implementation on resources that may be considered significant tribal cultural resources.

4.18.5 Impacts and Mitigation Measures

Impact 4.18-1 *Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC 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 CRHR, or in a local register of historical resources as defined in PRC 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 PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.*

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction and Operations

For purposes of this impact analysis, a TCR is defined as a property that is eligible for inclusion in the CRHR because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community. PaleoWest contacted the NAHC, as part of the CRA, on August 3, 2021, for a review of the SLF. The objective of the SLF search was to determine if the NAHC had any knowledge of Native American cultural resources (e.g., traditional use or gathering area, place of religious or sacred activity, etc.) within the immediate vicinity of the Project area. The NAHC responded on August 27, 2021, stating that the SLF was completed with negative results; however, the NAHC recommended that 16 individuals representing 12 Native American tribal groups be contacted to elicit information regarding cultural resource issues related to the Project.

PaleoWest sent outreach letters to the 16 recommended individuals on September 7, 2021. These letters were followed up on September 28, 2021. As of October 2021, four responses have been received:

- Lucy Padilla, Archaeologist for the Agua Caliente Band of Cahuilla Indians (ACBCI), emailed on September 8, 2021 and stated that the Project area is outside of their traditional use area. Therefore, the ACBCI would defer to other tribes in the area.
- The Gabrieleno Band of Mission Indians – Kizh Nation (Kizh Nation) responded via email on September 8, 2021 and requested the lead agency's contact information. This information was provided via email to the Kizh Nation on September 20, 2021; no further correspondence was received from the tribe.
- Jill McCormick, Historic Preservation Officer for the Quechan Indian Tribe, responded on September 9, 2021 and stated that the tribe did not wish to provide comments on the Project and would defer to more local tribes.
- On September 20, 2021, Ryan Nordness, Cultural Resource Analyst for the SMBMI, emailed and stated that the proposed Project is not located near any known SLFs, Serrano village sites, or archaeological sites.

The County contacted the NAHC to obtain a contact list of tribes with traditional lands or cultural places located in the area of the Project site. The County subsequently sent letters to all contacts on the NAHC's list on February 22, 2022 in conformance with SB 18 and to all tribes who have requested notification under AB 52. On February 23, 2022, the Gabrieleno Band of Mission Indians – Kizh Nation contacted the County to inform them that the Project is within their ancestral lands and that they requested consultation. On May 5, 2022 the Tribe provided an email response, in lieu of a virtual consultation due to coordination issues. The email correspondence contained requested mitigation measures for consideration. After email correspondence between the County and the Tribe, the Tribe agreed to revised mitigation and closed consultation on May 24, 2022.

An email response was received on February 25, 2022 from the SMBMI that indicated that Project is within the Serrano ancestral territory and therefore, was of interest to the Tribe. The correspondence included the SMBMI Cultural Resources Department proposed language to include as Mitigation Measures for the Project for the protection of TCRs aimed at reducing potential impacts to those tribal cultural resources.

The CRA did not identify any Native American archaeological resources on or within the vicinity of the Project site. Record search data obtained from the SCCIC indicate no prehistoric archaeological resources have been documented within 0.5-mile of the Project area. Furthermore, no evidence of prehistoric remains (e.g., areas of darker soil with concentrations of ash, charcoal, fragments of animal bone, shell, flaked stone, ground stone, or human bone) were identified during the pedestrian survey. Because the Project site has been heavily disturbed with the Kaiser Steel Mill and the ACS, it is unlikely to contain significant prehistoric period archaeological deposits.

No cultural resources that are eligible for listing on the CRHR as TCRs were documented in the Project area. However, there is a potential for unknown buried archaeological resources that qualify as TCRs to be encountered during Project-related ground-disturbing activities. In the event that a potentially significant archaeological resource is encountered during Project-related ground-disturbing activities, **Mitigation Measure (MM) CUL-1** would apply to minimize potential impacts to archaeological resources. **MM CUL-1** requires that the Project archaeologist consults with local experts and Native American Representatives for the preparation of a treatment plan if significant unknown cultural resources are discovered during construction of the Project. Implementation of **MMs TCR-1** through **TCR-4** would further reduce impacts to any unknown or inadvertently discovered archaeological resources or human remains that are identified as TCRs. All such finds would be required to be treated in accordance with all CEQA requirements and all other applicable laws and regulations. With implementation of these measures, impacts to tribal cultural resources would be less than significant.

Mitigation Measures

- MM TCR-1** Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.
- A. The Master Developer or Site Developers, as applicable, shall retain a Native American monitor from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the “Kizh” or the “Tribe”). The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project, at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
 - B. A copy of the executed monitoring agreement shall be provided to the lead agency prior to the earlier of the commencement of any ground-disturbing activity for the project, or the issuance of any permit necessary to commence a ground-disturbing activity.
 - C. The Master Developer or Site Developers, as applicable, shall provide the Tribe with a minimum of 30 days advance written notice of the commencement of any project ground-disturbing activity so that the Tribe has sufficient time to secure and schedule a monitor for the project.

- D. The Master Developer or Site Developers, as applicable, shall hold at least one (1) pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where at a senior member of the Tribe will inform and educate the project's construction and managerial crew and staff members (including any project subcontractors and consultants) about the TCR mitigation measures and compliance obligations, as well as places of significance located on the project site (if any), the appearance of potential TCRs, and other informational and operational guidance to aid in the project's compliance with the TCR mitigation measures.
- E. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the Master Developer or Site Developers, as applicable, and the lead agency upon written request.
- F. Native American monitoring for the project shall conclude upon the latter of the following: (1) written confirmation from a designated project point of contact to the Tribe that all ground-disturbing activities and all phases that may involve ground-disturbing activities on the project site and at any off-site project location are complete; or (2) written notice by the Tribe to the Master Developer or Site Developers, as applicable, and the lead agency that no future, planned construction activity and/or development/construction phase (known by the Tribe at that time) at the project site and at any off-site project location possesses the potential to impact TCRs.

MM TCR-2

Discovery of TCRs.

- A. Upon the discovery of a TCR, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Consulting Tribes, Gabrieleño Band of Mission Indians – Kizh Nation and San Manuel Band of Mission Indians (SMBMI), shall be immediately informed of the discovery. An archaeologist that meets Secretary of Interior Professional Qualifications, a Kizh monitor and/or Kizh archaeologist, and an SMBMI CRM staff member will promptly report to the location of the discovery to evaluate the TCR and advise the project manager regarding the matter, protocol, and any mitigating requirements. No project construction activities shall resume in the surrounding 50 feet of the discovered TCR unless and until the Consulting Tribes and archaeologist have completed their assessment/evaluation/treatment of the

discovered TCR and surveyed the surrounding area. Treatment protocols outlined in TCR-3 shall be followed for all discoveries that do not include human remains.

MM TCR-3

Treatment and Disposition of TCRs.

- A. After the notification of discovery to the Consulting Tribes and assessments/evaluations have occurred, the following treatment/disposition of the TCRs shall occur:
1. Preservation-In-Place of the TCRs, if feasible as determined through coordination between the project archeologist, Master Developer or Site Developers, as applicable, and Consulting Tribes, is the preferred method of treatment. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources in perpetuity.
 2. Should Preservation-In-Place not be feasible, the landowner shall accommodate the process for on-site reburial of the discovered items with the Consulting Tribes. This shall include measures and provisions to protect the future reburial area from any future impacts. During the course of construction, all recovered resources shall be temporarily curated in a secure location on site. The removal of any artifacts from the project site shall require the approval of the Consulting Tribes and all resources subject to such removal must be thoroughly inventoried with a tribal representative from each consulting tribe to oversee the process. Reburial shall not occur until all cataloguing and basic recordation have been completed.
 3. If Preservation-In-Place and reburial are not feasible, the landowner(s) shall relinquish ownership of all TCRs and a curation agreement with an appropriate qualified repository within San Bernardino County that meets federal standards per 36 CFR Part 79 shall be established. The collections and associated records shall be transferred, including title, to said curation facility by the landowner, and accompanied by payment of the fees necessary for permanent curation.
- B. Any historic archaeological material that is not Native American in origin (non-TCRs) shall be curated at a public, non-profit institution with a research interest in the materials within the County of the discovery, 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.
- C. If discoveries were made during the project, a Monitoring Report shall be submitted to the County by the Archaeologist at the completion of grading, excavation, and ground-disturbing activities on the site. Said report will document monitoring and archaeological efforts conducted by the archaeologist and Consulting Tribes within 60 days of completion of grading. This report shall

document the impacts to the known resources on the property, describe how each mitigation measure was fulfilled, document the type of cultural resources recovered, and outline the treatment and disposition of such resources. All reports produced will be submitted to the County of San Bernardino, appropriate Information Center, and Consulting Tribes.

MM TCR-4 Procedures for Burials and Funerary Remains.

In accordance with California Health and Safety Code § 7050.5, if human remains are found, the County Coroner shall be notified within 24 hours of the discovery. The project lead/foreman shall designate an Environmentally Sensitive Area (ESA) physical demarcation/barrier 100 feet around the resource and no further excavation or disturbance of the site shall occur while the County Coroner makes his/her assessment regarding the nature of the remains. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with Public Resources Code § 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative will then determine, in consultation with the property owner, the disposition of the human remains.

Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties. It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

4.18.6 Cumulative Impacts

For purposes of tribal cultural resources impact analysis, cumulative impacts are considered for cumulative development according to the related projects (see **Table 4-1: Cumulative Projects List**). As discussed above, while the NAHC determined that there are no known Native American cultural resources within the immediate Project area; the potential exists for undiscovered tribal cultural resources to be adversely impacted during Project construction. With implementation of the specified mitigation

measures, construction would not cause a substantial adverse change in the significance of any tribal cultural resources; a less than significant impact would occur.

Additionally, future cumulative development projects could encounter tribal cultural resources. Thus, the potential exists for cumulative development to result in the adverse modification or destruction of tribal cultural resources. Potential tribal cultural resource impacts associated with other individual developments would be specific to each site. As with the Project, all cumulative development in the area would undergo environmental and design review on a project-by-project basis pursuant to CEQA, in order to evaluate potential impacts to tribal cultural resources.

All future development with the potential to impact tribal cultural resources would be subject to compliance with the existing federal, state, and local regulatory framework concerning the protection of tribal cultural resources. Furthermore, each future project considered for approval by the City would be required to include mitigation measures to protect resources if they are uncovered during grading activities. Refer to **Section 4.0: Environmental Analysis**, for applicable prior CEQA documents that provide analysis and mitigation for cumulative impacts within the jurisdiction of the affected agency(s).

Additionally, implementation of site-specific mitigation measures would be required to reduce potential project impacts to as-yet-unidentified tribal cultural resources to less than significant levels. As such, cumulative impacts to tribal cultural resources would be mitigated on a project-by-project level, and in accordance with the established regulatory framework, through the established regulatory review process. Therefore, the combined cumulative impacts to tribal cultural resources associated with the Project's incremental effects and those of the cumulative projects would be less than significant with mitigation incorporated.

4.18.7 Significant Unavoidable Impacts

No significant and unavoidable impacts concerning tribal cultural resources have been identified.

4.18.8 References

PaleoWest. 2022. *Cultural Resource Assessment for The Speedway Commerce Center II Specific Plan Project, San Bernardino County, California*.

San Bernardino County. 2020. *Cultural Resources Element*. <http://countywideplan.com/policy-plan/beta/ch/>.

4.19 UTILITIES AND SERVICE SYSTEMS

4.19.1 Introduction

This section of the EIR evaluates the potential utilities and service systems (water supply, wastewater conveyance and treatment, and solid waste collection and disposal) impacts associated with the development of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project). Impacts related to stormwater drainage facilities are addressed in **Section 4.10: Hydrology and Water Quality**. This section discusses the Project's environmental setting, applicable federal, state, and regional policies and regulations, and mitigation measures that would minimize potentially significant impacts, if any are identified. Baseline conditions were established by comparing the Project site's current condition with the information included in:

- Albert A. Webb Associates (2021). *Preliminary Drainage Study* (located in EIR **Appendix J**).
- Stetson Engineers Inc (2021). *Water Supply Assessment (WSA) for the Speedway Commerce Center II Project* (located in EIR **Appendix J**).

As discussed in **Section 3.0: Project Description**, the Project will develop e-commerce, high-cube logistics, parking fields and drop lot areas, and ancillary commercial facilities.

4.19.2 Environmental Setting

Water Resources

Water service for the Project area would be provided by the Fontana Water Company (FWC). The FWC service area includes the majority of the City of Fontana (City), and portions of the cities of Rialto and Rancho Cucamonga. The FWC service area also includes portions of unincorporated San Bernardino County (County). Using the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategies (RTP/SCS), the population served by FWC in 2020 was estimated to be 236,754 people. This population is anticipated to increase to a total of 281,020 by the year 2045.¹

In the year 2020, the total calculated potable water demand within the FWC was 39,395 acre feet (AF) of water with a per capita water usage of 176 gallons per capita per day (gpcd). The 2020 total marked an approximately 5,000 AF increase in water demand for the FWC service area. This overall water demand is further categorized by the FWC 2020 Urban Water Management Plan (UWMP) by land use type. **Table 4.19-1: Potable Water Demand by Land Use** describes the water used by land use type for FWC in the years 2015 and 2020. The table also includes the changes in water use for each sector between 2015 and 2020.

¹ San Gabriel Water Company Fontana Water Company Division. 2021. *2020 Urban Water Management Plan*. Page 3-5. <https://www.fontanawater.com/wp-content/uploads/2021/10/FWC-2020-UWMP-June-2021-Final.pdf> (accessed November 2021).

Table 4.19-1: Potable Water Demand by Land Use

Land Use	2015 Volume	% of 2015 Total	2020 Total	% of 2020 Total	Numerical Change 2015 to 2020	% change 2015 to 2020
Residential	21,192	62%	22,459	57%	1,267	6%
Commercial/Institutional	8,175	24%	5,509	14%	-2,666	-33%
Industrial	1,198	3%	3,256	8%	2,058	172%
Other (and landscaping)	1,124	3%	4,984	13%	3,860	343%
Losses	2,695	8%	3,187	8%	492	18%
Total	34,384	100%	39,395	100%	5,011	15%

Source: San Gabriel Water Company Fontana Water Company Division. (2021). *2020 Urban Water Management Plan*. Pages 4-2 and 4-3. Retrieved from: <https://www.fontanawater.com/wp-content/uploads/2021/10/FWC-2020-UWMP-June-2021-Final.pdf> (Accessed November 1, 2021).

The FWC service area saw increased water demands in all land use sectors except commercial/institutional, which experienced an approximately 2,700 AF reduction in potable water demand. Despite this, the demand for the FWC service area increased, generally, by 15 percent from 2015 to 2020. Water demands for the FWC service area are anticipated to continue increasing through the year 2045. **Table 4.19-2: Water Demand Projections by Land Use** details the anticipated water demands in five-year intervals from 2025 to 2045.

Table 4.19-2: Water Demand Projections by Land Use

Land Use	2025	2030	2035	2040	2045	Number Change 2020 to 2045	% Change 2020 to 2045
Residential	27,661	28,167	28,946	29,738	30,359	7,900	35%
Commercial/Institutional	6,785	6,908	7,099	7,294	7,446	1,937	35%
Industrial	4,010	4,084	4,197	4,312	4,402	1,146	35%
Other (and landscaping)	6,138	6,250	6,423	6,598	6,736	1,752	35%
Total	44,593	45,409	46,665	47,942	48,943	9,548	24%

Source: San Gabriel Water Company Fontana Water Company Division. 2021. *2020 Urban Water Management Plan*. Page 4-4. <https://www.fontanawater.com/wp-content/uploads/2021/10/FWC-2020-UWMP-June-2021-Final.pdf> (accessed November 2021).

As shown in **Table 4.19-2** above, water demand is expected to increase by a uniform percentage through the year 2045. Water supplies are also anticipated to increase through the year 2045. **Table 4.19-3: Normal Year Water Supplies** shows the existing and projected water supply for the FWC service area for the years 2020 through 2045 by water source.

Table 4.19-3: Normal Year Water Supplies

Source	2020	2025	2030	2035	2040	2045	Number Change 2020 to 2045	% Change 2020 to 2045
Groundwater								
Chino Basin	11,859	9,278	9,983	11,128	12,293	13,183	1,324	10%
Rialto-Colton Basin	5,171	5,865	5,976	6,087	6,199	6,310	1,139	18%
No Man's Land Basin								
Lytle Basin	6,423	6,390	6,390	6,390	6,390	6,390	-33	-1%
<i>Groundwater Subtotal</i>	23,453	21,533	22,349	23,605	24,882	25,883	2,430	10%

Source	2020	2025	2030	2035	2040	2045	Number Change 2020 to 2045	% Change 2020 to 2045
Surface Water								
Lytle Creek	5,966	4,860	4,860	4,860	4,860	4,860	-1,106	-19%
<i>Surface Water Subtotal</i>	<i>5,966</i>	<i>4,860</i>	<i>4,860</i>	<i>4,860</i>	<i>4,860</i>	<i>4,860</i>	<i>-1,106</i>	<i>-19%</i>
Imported Water								
IEUA	10,027	15,000	15,000	15,000	15,000	15,000	4,973	33%
SBVMWD	0	3,200	3,200	3,200	3,200	3,200	3,200	100%
<i>Imported Water Subtotal</i>	<i>10,027</i>	<i>18,200</i>	<i>18,200</i>	<i>18,200</i>	<i>18,200</i>	<i>18,200</i>	<i>8,173</i>	<i>82%</i>
Potable Water Subtotal	39,446	44,593	45,409	46,665	47,942	48,943	9,497	24%
Recycled Water	387	1,000	1,500	2,000	2,500	3,000	2,613	675%
Supply Total	39,833	40,446	46,909	48,665	50,442	51,943	12,110	30%
Source: San Gabriel Water Company Fontana Water Company Division. 2021. <i>2020 Urban Water Management Plan</i> . Page 6-2. https://www.fontanawater.com/wp-content/uploads/2021/10/FWC-2020-UWMP-June-2021-Final.pdf (accessed November 2021). Notes: IEUA = Inland Empire Utilities Agency SBVMWD = San Bernardino Valley Municipal Water District								

Groundwater

Groundwater for the FWC service area is sourced from three groundwater basins: the Chino Basin, the Lytle Basin, and the Rialto-Colton Basin. The Chino Basin spans 235 square miles of the upper Santa Ana River watershed and is one of the largest groundwater basins in southern California. The Chino Basin contains approximately 5 million AF of water with approximately 1 million AF of unused storage capacity. The FWC service area sources the majority of its groundwater from the Chino Basin; approximately 23,123 gallons per minute (gpm). As of the publication of the FWC UWMP, there are 12 active FWC wells sourcing groundwater from the Chino Basin. Actual groundwater production from the Chino Basin in 2020 was 11,859 AF.² The Rialto-Colton Basin is a 10-mile long subbasin of the Upper Santa Ana Valley Basin. The basin provides the second largest volume of groundwater to the FWC service area with 9,440 gpm. This groundwater is pumped from seven active wells. Actual production from the Rialto-Colton Basin in 2020 was 5,171 AF.³ The Lytle Basin has a current pumping capacity of 4,659 gpm. The basin spans approximately 22 square miles and provides groundwater resources through 10 active wells. Actual production from the Lytle Basin in 2020 was 6,422 AF.⁴ Each of the three groundwater basins have been adjudicated and have not been found to be at risk of overdraft. Furthermore, although average groundwater production has been approximately 31,800 AF for the last 26 years, average groundwater production has been lower at approximately 22,900 AF over the last five years.⁵ Water rights held by FWC for each groundwater basin include: approximately 11.66 percent of the Chino Basin's safe yield, 550 acre feet per year (AFY) of adjustable water rights to the Rialto-Colton Basin, 370 AFY fixed rights to the Rialto-Colton Basin, 5,014 AFY of No Man's Land adjustable rights, and approximately 18,800 AFY of groundwater from the Lytle Basin.⁶

² San Gabriel Water Company Fontana Water Company Division. 2021. *2020 Urban Water Management Plan*. Pages 6-5 through 6-6.
<https://www.fontanawater.com/wp-content/uploads/2021/10/FWC-2020-UWMP-June-2021-Final.pdf> (accessed November 2021).

³ Ibid. Pages 6-6 through 6-7.

⁴ Ibid. Pages 6-7 through 6-8.

⁵ Ibid. Page 6-12.

⁶ Ibid. Page 6-9.

Surface Water

Lytle Creek is the FWC's source for surface water resources. Lytle Creek waters are initially used in hydroelectric power production by Southern California Edison (SCE) and then conveyed to FWC's summit plant. From there the water is treated and distributed for domestic water use. As shown in **Table 4.19-3: Normal Year Water Supplies**, the FWC service area received approximately 5,966 AF of water resources from Lytle Creek in 2020, with plans to reduce this volume to 4,860 AFY from 2025 through 2045. In the case of dry years, surface supplies could be reduced by as much as 83 percent to 826 AFY.⁷ FWC is able to access up to 50,400 AFY of surface and groundwater resources from the Lytle Creek area based on surface water availability.⁸ A specific surface water limit is not provided.

Imported Water

Imported water comprised approximately 25 percent of FWC's total potable water resources in the year 2020. FWC imports water from the Inland Empire Utilities Agency (IEUA) and the San Bernardino Valley Municipal Water District (SBVMWD). The majority of FWC's imported water comes from IEUA (10,027 AF in 2020) and is planned to expand to 15,000 AF from 2025 to 2045. No imported water from SBVMWD was utilized by FWC in 2020. However, this is planned for expansion to 3,200 AF for the years 2025 through 2045 as shown in **Table 4.19-3: Normal Year Water Supplies**.⁹ Furthermore, imported water supplies are expected to remain consistent through single and multiple dry years.¹⁰ FWC currently has an imported water allocation of 10,000 AFY from IEUA, with an additional 2,000 AFY carryover available. FWC plans to request an allocation increase from IEUA to 15,000 AFY in 2024. Although FWC has no established allocation with the SBVMWD, FWC anticipates the importation of approximately 3,200 AFY of imported water from SBVMWD by 2025.¹¹

Wastewater and Recycled Water

IEUA provides recycling and wastewater services for the cities of Chino, Chino Hills, Fontana, Montclair, Ontario, Upland, and Rancho Cucamonga. FWC receives recycled water resources from IEUA which operates four Regional Water Recycling Plants (RPs). The IEUA RP-4 is the wastewater treatment plant for the City of Fontana and its sphere of influence (SOI), which includes the Project site, located in the City of Rancho Cucamonga. Recycled water generated by RP-4 is planned to be distributed to the southern portion of the IEUA area. Recycled water resources are expected to continue expanding through 2045 as shown in **Table 4.19-3: Normal Year Water Supplies**.

IEUA has the capacity to treat 86 million gallons per day (MGD) of wastewater. The current average usage of wastewater treatment within the IEUA service area, as of the publication of the UWMP in June 2021, is 48 MGD of wastewater. RP-4, the treatment plant that is located within the City of Rancho Cucamonga,

⁷ Ibid. Page 6-2.

⁸ Ibid. Page 6-9.

⁹ Ibid. Pages 6-4 through 6-5.

¹⁰ Stetson Engineers, Inc. 2021. *Water Supply Assessment for the Speedway Commerce Center II Project*. Page 30. Meza, AZ: Stetson Engineers, Inc.

¹¹ San Gabriel Water Company Fontana Water Company Division. 2021. *2020 Urban Water Management Plan*. Pages 6-5 through 6-6. <https://www.fontanawater.com/wp-content/uploads/2021/10/FWC-2020-UWMP-June-2021-Final.pdf> (accessed April 2022)

treats an average flow of 10 MGD with a capacity of 14 MGD. However, in the event that a RP is at or near capacity, wastewater flows can be diverted to other RPs in the service area.

Solid Waste

Solid waste services within the County are managed by the San Bernardino County Solid Waste Management Division (SWMD). The SWMD management region includes five landfills and nine waste transfer stations. Garbage pick-up and disposal services throughout the County are handled through 20 franchise agreements with waste disposal companies.¹² The Project would be in the Valley Region of the County. This region contains two landfills: the Mid-Valley Sanitary Landfill in the City of Rialto and the San Timoteo Sanitary Landfill in the City of Redlands.¹³ **Table 4.19-4: Landfill Capacities** summarizes each landfill's remaining capacity and allowed daily throughput.

Table 4.19-4: Landfill Capacities

Landfill	Location	Maximum Capacity (cubic yards)	Remaining Capacity (cubic yards)	Daily Throughput (tons)
Mid-Valley Landfill	Rialto, CA	101,300,000	61,219,377	7,500
San Timoteo Sanitary Landfill	Redlands, CA	23,685,785	12,360,396	2,000
Total		124,985,785	73,579,773	9,500
Sources: CalRecycle. 2019. <i>SWIS Facility/Site Activity Details: Mid-Valley Sanitary Landfill (36-AA-0055)</i> . https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1880?siteID=2662 (accessed October 2021)				
CalRecycle. 2019. <i>SWIS Facility/Site Activity Details: San Timoteo Sanitary Landfill (36-AA-0087)</i> . https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1906?siteID=2688 (accessed October 2021)				

The Project would be located in an unincorporated portion of the County within the Fontana SOI. The Fontana SOI would generate non-residential waste at an average rate of 0.010 pounds per square foot.¹⁴

Energy

The Project would be served by Southern California Gas Company (SCGC) and SCE. Energy demand from SCE for the County reached approximately 15,969 gigawatt hours (GWh) or 15,969,000,000 kilowatt hours (kWh) in 2020. Residential uses demanded 6,103,000,000 kWh of electricity while nonresidential uses demanded 9,865,000,000 kWh of electricity. (approximately 38 percent and 62 percent of the total, respectively).¹⁵ Natural gas demand in the County—as provided by SCGC—totaled approximately 507 million therms in 2020. One therm is equivalent to 99.9761 cubic feet of natural gas. Non-residential uses demanded approximately 260 million therms of natural gas from SCGC while residential uses demanded approximately 267 million therms of natural gas (approximately 49 percent and 51 percent of the total, respectively).¹⁶

¹² County of San Bernardino. 2021. *Solid Waste Management Division*. <https://cms.sbcounty.gov/dpw/SolidWasteManagement.aspx> (accessed October 2021)

¹³ County of San Bernardino. 2019. *San Bernardino Countywide Plan Draft PEIR*. Pages 5.18-62 through 5.18-69. http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-18-USS.pdf (accessed October 2021).

¹⁴ Ibid. Page 5.18-58.

¹⁵ California Energy Commission. 2022. *Electricity Consumption by County*. <https://ecdms.energy.ca.gov/electbycounty.aspx> (accessed April 2022).

¹⁶ Ibid. Page 5.18-54. California Energy Commission. 2022. *Gas Consumption by County*. <https://ecdms.energy.ca.gov/gasbycounty.aspx> (accessed April 2022).

Renewable energy resources are also provided by SCE through wind, biomass, landfill gas, and hydroelectric energy generation. As of the creation of the County's Countywide Plan, SCE's active renewable energy power plants included four wind energy facilities, one biomass energy facility, one landfill gas facility, and 14 hydroelectric energy facilities. Together, these 20 facilities had the capacity to generate up to 1,733 megawatts (MW), or 1,733,000 kilowatts (kw), of energy. Future development of new facilities and expansion of existing facilities beyond what is included in the Project is also planned, which would create 13 additional facilities and 394 additional MW of energy capacity.¹⁷

SCE currently operates two 66-kV transmission line routes, the Etiwanda-Randall and Etiwanda-Dedez No. 1 lines, which run concurrently across the northern Project boundary. The transmission line extends approximately 5,400 feet across the existing northern parking lot and parallel to Back Straight Road to the eastern boundary. The transmission line undergrounds at the eastern boundary from the Project site at Cherry Avenue. Furthermore, there are currently 29 existing wood and Light Weight Steel (LWS) poles containing 66kv, 12kv transmission, distribution, and communications overhead SCE powerlines present generally north of the existing two-mile oval track and along Back Straight Road. These powerlines extend east to west through the northern portion of the site. In addition, natural gas lines already exist in the area to enable service to surrounding uses. Existing natural gas lines are within current rights-of-way adjacent to or within the vicinity of the Project.

4.19.3 Regulatory Setting

Federal

Clean Water Act

Pursuant to § 404 of the Clean Water Act (33 U.S. Code [USC] Section 1251 et seq.; CWA), the U.S. Army Corps of Engineers (USACE) is authorized to regulate any activity that would result in the discharge of dredged or fill material into waters of the U.S. (including wetlands), which include those waters listed in 33 Code of Federal Regulations (CFR) 328.3 (as amended at 80 Federal Register (FR) 37104, June 29, 2015).

The Regional Water Quality Control Board (RWQCB), a division of the State Water Resources Control Board (SWRCB), is required to provide "certification that there is reasonable assurance that an activity that may result in the discharge to waters of the U.S. will not violate water quality standards." Water Quality Certification must be based on the finding that proposed discharge will comply with applicable water quality standards.

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

Safe Drinking Water Act (Federal)

The Safe Drinking Water Act (SDWA) (42 USC Section 300f et seq.) is intended to protect public health by regulating the nation's public drinking water supply. The Federal SDWA authorizes the U.S. EPA to set

¹⁷ County of San Bernardino. 2019. *San Bernardino Countywide Plan Draft PEIR*. Page 5.18-69. http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-18-USS.pdf (accessed October 2021).

national standards for drinking water to protect against both naturally occurring and man-made contaminants.

State

Safe Drinking Water Act (State)

California enacted its own Safe Drinking Water Act (SDWA, Health and Safety Code [HSC] §§ 116350–116405) with the California Department of Health Services (DHS) granted primary enforcement responsibility. Title 22 of the California Code of Regulations (CCR) (Division 4, Chapter 15, “Domestic Water Quality and Monitoring Regulations”) established DHS authority and provides drinking water quality and monitoring requirements, which are equal to or more stringent than Federal standards.

Recycled Water Regulations

Regulation of recycled water is vested by state law in the SWRCB and the California Department of Public Health Services (DPH). DPH is responsible for the regulations concerning the use of recycled water. Title 17 (California Water Code [CWC] §§ 13500–13556) regulates the protection of the potable water supply through the control of cross-connections with potential contaminants, including recycled water. The established water quality standards and treatment reliability criteria for recycled water are codified in CWC Title 22. The requirements of Title 22, as revised in 1978, 1990 and 2001, establish the quality and/or treatment processes required for a recycled effluent to be used for a non-potable application. In addition to recycled water uses and treatment requirements, Title 22 addresses sampling and analysis requirements at the treatment plant, preparation of an engineering report prior to production or use of recycled water, general treatment design requirements, reliability requirements, and alternative methods of treatment.

Urban Water Management Planning Act

The Urban Water Management Planning Act (UWMP Act) (CWC, Division 6, Part 2.6, § 10610 et. seq.) was enacted in 1983. The UWMP Act applies to municipal water suppliers, such as the FWC, because it provides water service directly to more than 3,000 connections. The UWMP Act requires these suppliers to update their UWMP every five years to demonstrate an appropriate level of reliability in supplying anticipated short-term and long-term water demands during normal, dry, and multiple dry years.

State Water Resources Control Board

The SWRCB is the state agency focused on providing and ensuring clean sustainable water for all state residents. This state agency works alongside other federal programs like the CWA to regulate water sources and uses. The SWRCB regulates water consumption for irrigation and drinking, as well as water discharges from construction, municipal uses, stormwater, and other sources.

California Water Code

CWC Division 6, Part 2.6, § 10631 requires every urban water supplier to identify as part of its UWMP, the existing and planned sources of water available to the supplier in five-year increments extending to 20 years. Existing law prohibits an urban water supplier that fails to prepare or submit its UWMP to the

Department of Water Resources (DWR) from receiving financial or drought assistance from the state until the plan is submitted.

CWC Division 6, Part 2.10, §§ 10910-10915 requires a water supply assessment (WSA) to provide a description of all water supply projects and programs that may be undertaken to meet total projected water use over the next 20 years to be included with the Project. The CWC requires a city or county which determines a project is subject to CEQA to identify any public water system which may supply water for proposed developments and to request those public water systems to prepare a WSA, including industrial projects housing more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area. If the water demands have been accounted for in a recently adopted UWMP, the water supplier may incorporate information contained in that plan to satisfy certain requirements of a WSA. The CWC requires the assessment to include, along with other information, an identification of existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the Project and the quantities of water received in prior years pursuant to those entitlements, rights, and contracts.

The CWC also requires the public water system, or the city or county, as applicable, to submit its plans for acquiring additional water supplies if that entity concludes water supplies are, or will be, insufficient.

Porter-Cologne Water Quality Act

The Porter-Cologne Water Quality Act (CWC § 13000 et seq.) is the basic water quality control law for California. Under this act, the SWRCB has primary responsibility for coordination and control of water quality. In California, the U.S. EPA has delegated authority to issue NPDES permits to the SWRCB. The state is divided into nine regions related to water quality and quantity characteristics. The SWRCB, through its nine RWQCBs, carries out the regulation, protection, and administration of water quality in each region. Each RWQCB is required to adopt a WQMP or Basin Plan that recognizes and reflects the regional differences in existing water quality, the beneficial uses of the region's ground and surface water, and local water quality conditions and problems.

Title 24 Energy Efficiency Standards

California's Energy Efficiency Standards for Residential and Non-residential Buildings were established in 1978 in response to a mandate to reduce the state's energy consumption. These standards are promulgated under CCR Title 24 Part 6 and are commonly referred to as "Title 24." The Title 24 standards are periodically updated to reflect new or improved energy efficiency technologies and methods. The most recent Title 24 standards were updated effective October 2005, with subsequent revisions and amendments. A new development project is required to incorporate the most recent Title 24 standards in effect at the time the building permit application is submitted.

Assembly Bill 1668 and Senate Bill 606

AB 1668 and Senate Bill (SB) 606 build on former Governor Brown's ongoing efforts to make water conservation a way of life in California and create a new foundation for long-term improvements in water conservation and drought planning. SB 606 and AB 1668 establish guidelines for efficient water use and a framework for the implementation and oversight of the new standards, which must be in place by 2022.

The two bills strengthen the state's water resiliency in the face of future droughts with provisions that include:

- Establishing water use objectives and long-term standards for efficient water use that apply to urban retail water suppliers; comprised of indoor residential water use, outdoor residential water use, commercial, industrial, and institutional (CII) irrigation with dedicated meters, water loss, and other unique local uses.
- Providing incentives for water suppliers to recycle water.
- Identifying small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability and provide recommendations for drought planning.
- Requiring both urban and agricultural water suppliers to set annual water budgets and prepare for drought.¹⁸

Assembly Bill 341

AB 341, approved in October 2011, is intended to reduce greenhouse gas (GHG) emissions by diverting commercial solid waste to recycling efforts and to expand the opportunity for additional recycling services and recycling manufacturing facilities in the state. It is the policy goal of the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020. This law requires California commercial businesses and public entities, that generate four or more cubic yards of commercial solid waste per week or is a multi-family residential dwelling with five or more units, to arrange for recycling services.

Each local jurisdiction is required to inform businesses about the recycling requirement and to keep track of the level of recycling within the business community. In addition, each jurisdiction is required to report to CalRecycle, the state agency that oversees recycling and solid waste, on progress in the business community.¹⁹

Senate Bill 610

Under SB 610, water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in CWC § 10912 [a]) subject to the State CEQA Guidelines.²⁰

Regional

Inland Empire Utilities Agency 2020 Urban Water Management Plan

Pursuant to the UWMP Act, described above, IEUA adopts a revised Urban Water Management Plan every five years. The current adopted plan is the 2020 UWMP. The 2020 UWMP was prepared pursuant to CWC

¹⁸ State Water Resources Control Board. 2020. *California Statutes Making Conservation a California Way of Life*. https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/california_statutes.html (accessed September 2021).

¹⁹ CLI. 2011. *Assembly Bill No. 341*. https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB341 (accessed September 2021).

²⁰ California DWR. 2003. *Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001*. Page iii. <https://cawaterlibrary.net/wp-content/uploads/2017/06/guidebook.pdf> (accessed September 2021).

Division 6, Part 2.55, § 10608 (Sustainable Water Use and Demand Reduction) and CWC Division 6, Part 2.6, §§ 10610-10657 (Urban Water Management Planning). The UWMP describes future water demands and future availability of the water supply sources used by IEUA.

Fontana Water Company Urban Water Management Plan

FWC's 2020 UWMP (June 2021), was prepared pursuant to CWC Division 6, Part 2.55, § 10608 (Sustainable Water Use and Demand Reduction) and CWC Division 6, Part 2.6, §§ 10610-10657 (Urban Water Management Planning). The UWMP describes future water demands and future availability of the water supply sources used by FWC.

Local

The Countywide Plan

The following goals and policies from The Countywide Policy Plan's Infrastructure and Utilities Element²¹ are pertinent to the Project:

- Goal IU-1** **Water Supply. Water supply and infrastructure are sufficient for the needs of residents and businesses and resilient to drought.**
- Policy IU-1.1** **Water supply.** We require that new development be connected to a public water system or a County-approved well to ensure a clean and resilient supply of potable water, even during cases of prolonged drought.
- Policy IU-1.3** **Recycled water.** We promote the use of recycled water for landscaping, groundwater recharge, direct potable reuse, and other applicable uses in order to supplement groundwater supplies.
- Goal IU-3** **Stormwater Drainage. A regional stormwater drainage backbone and local stormwater facilities in unincorporated areas that reduce the risk of flooding.**
- Policy IU-3.1** **Regional flood control.** We maintain a regional flood control system and regularly evaluate the need for and implement upgrades based on changing land coverage and hydrologic conditions in order to manage and reduce flood risk. We require any public and private projects proposed anywhere in the county to address and mitigate any adverse impacts on the carrying capacity and stormwater velocity of regional stormwater drainage systems.
- Policy IU-3.2** **Local flood control.** We require new development to install and maintain stormwater management facilities that maintain predevelopment hydrology and hydraulic conditions.
- Policy IU-3.5** **Fair share requirements.** We require new development to pay its fair share of capital costs to maintain adequate capacity of the County's regional flood control systems.
- Goal IU-4** **Solid Waste. Adequate regional landfill capacity that provides for the safe disposal of solid waste, and efficient waste diversion and collection for unincorporated areas.**

²¹ County of San Bernardino. 2020. *The Countywide Plan, Infrastructure and Utilities Element*. <http://countywideplan.com/policy-plan/beta/iu/> (accessed September 2021).

Policy IU-4.4 Landfill funding. We require sufficient fees for use of County landfills to cover capital costs; ongoing operation, maintenance, and closure costs of existing landfills; the costs and liabilities associated with closed landfills.

Municipal Separate Storm Sewer System Permit/NPDES Permit

The Federal Water Pollution Control Act prohibits the discharge of any pollutant to navigable waters (waters of the U.S.) from a point source unless the discharge is authorized by a NPDES permit. In 2002, the Santa Ana RWQCB issued an NPDES Storm Water Permit and Waste Discharge Requirements (Order No. R8 2002-0012) under the CWA and the Porter-Cologne Act for discharges of stormwater runoff, snowmelt runoff, surface runoff and drainage within the Upper Santa Ana River watershed in San Bernardino and Riverside counties. This permit expired on April 27, 2007 and was administratively extended. Renewal of waste discharge requirements and an NPDES permit for San Bernardino County is under Order No. R8-2010- 0036, NPDES No. CAS618036, which was adopted on January 29, 2010.

The County of San Bernardino is within the jurisdiction of the Santa Ana RWQCB and is subject to the waste discharge requirements of the Municipal Separate Storm Sewer System (MS4) Permit for San Bernardino and Riverside counties and the proposed permit for San Bernardino County. The County and cities within the County are co-permittees under the MS4 permit and have legal authority to enforce the terms of the permit in their jurisdictions.

4.19.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines, Appendix G contains the Environmental Checklist Form, which includes questions concerning utilities and service systems. The following questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section to evaluate whether the Project would have a significant effect on the environment if it would:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects;
- Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years;
- Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments;
- 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; or
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning utilities and service systems. This analysis

considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impacts.

Approach to Analysis

The analysis of impacts on utilities and service systems examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. For each criterion, the analyses are generally divided into two main categories: (1) temporary impacts; and (2) permanent impacts. Each criterion is discussed in the context of Project components that share similar characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on the following: technical assessment provided by the Fontana Water Company; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" adverse effects on utilities or service systems is based on the capacity of those systems and their ability to efficiently accommodate the Project's development into their infrastructure, as well as the Project's compliance with all relevant regulations and policies. An example of a substantial adverse effect would be if utility systems needed to expand or new facilities needed to be built to accommodate the Project. Effects would not be significant if the Project would not require existing utility systems to make large modifications to facilitate the Project.

4.19.5 Impacts and Mitigation Measures

Impact 4.19-1 *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 or relocation of which could cause significant environmental effects?*

Level of Significance: Less than Significant Impact

Construction and Operations

As discussed in **Section 3.0: Project Description**, the Project encompasses approximately 433 acres of the approximately 522-acre site that is currently developed with the Auto Club Speedway (ACS). The Project also surrounds the separate Next Gen in California motorsports facility which was approved for development on approximately 90 acres of the existing 522-acre ACS site. Thus, the projected utility demands for the Project are considered separately from the utility demands for the Next Gen motorsports facility. However, the Project would construct new public roads, utilities, and infrastructure that would serve both the Project and the adjacent Next Gen motorsports facility.

Localized utility infrastructure and facilities would be extended and upgraded as needed during construction of the Project to serve the anticipated demands and to accommodate operation of the high-cube logistics, e-commerce, and ancillary commercial facilities. All required improvements to existing

water/wastewater, electrical, natural gas, or telecommunications utilities are anticipated to occur within the Project boundary and the adjacent existing public right-of-way (ROW). Environmental impacts associated with the construction of site-specific utility infrastructure and facilities are discussed and disclosed in **Sections 4.1** through **4.20** of this EIR. As such, environmental effects associated with site disturbing activities during the installation of Project-specific infrastructure are already evaluated as part of the overall Project. Environmental impacts associated with extension and use of utility services are discussed in additional detail below.

Water

Water to the Project site would be provided by FWC. As described in **Section 4.19.2: Environmental Setting**, FWC provides water to its service area via groundwater, surface water, and imported water sources. Although FWC currently has a surplus water supply, it has projected additional water resource allocations through the year 2045. The Project would include the development of seven e-commerce and high-cube logistics buildings and additional commercial uses, as well as parking facilities. The WSA created for the Project concluded that the Project would generate a potable water demand of 596 AFY and a recycled water demand of 570 AFY, which would be accommodated by FWC based on its existing water supply projections without the construction of new or expanded facilities. The water demand planning estimates used in the WSA are greater than more recent estimates based on an analysis of actual water demands by similar existing facilities in the local area. Therefore, the WSA estimates provided above are considered conservative and should be equal to or exceed the final water demands ultimately anticipated for the Project as final coordination with Fontana Water Company is completed. Further discussion of water resources is included in Impact 4.19-2, below.

Potable and recycled water (if available) would be conveyed throughout the Project site via water lines beneath Streets “A,” “B,” “C,” and “D.” The Project would also utilize existing water pipelines which run across Street A and along Cherry Avenue.

Wastewater

The City of Fontana provides wastewater treatment services through facilities managed by the IEUA. These facilities are able to treat a total of 86 MGD of wastewater with a current remaining capacity of 38 MGD. Using the County’s average rate of wastewater generation, the Project would generate wastewater at a rate of 0.23 MGD, which can be accommodated by IEUA’s existing wastewater treatment facilities. Therefore, no new wastewater treatment facilities would need to be constructed for the Project. Further discussion regarding Project wastewater generation is discussed below in Impact 4.19-3. The sewer generation planning estimates based on the County’s average rate of wastewater generation are greater than more recent estimates based on an analysis of actual sewer generated by similar existing facilities in the local area. Therefore, the above estimate of 0.23 MGD provided above is considered conservative and should be equal to or exceed the final sewer generation ultimately anticipated for the Project as final coordination with the City of Fontana and IEUA is completed.

New sewer and storm drainage facilities are proposed below Streets “A,” “B,” “C” and “D” with additional storm drainage placed along the western boundary of the Project site. Sewer facilities are also proposed along the eastern side of Parcels 7 and 21. Existing storm and sewer infrastructure would remain below

Street D with connections immediately east of the intersection of Streets “B” and “D.” The sewer mainline will be installed as a 6” force main located in the existing private VIP Access Road (on-site and off-site) and would connect to a 15” gravity main in San Bernardino Avenue. A sewer lift station would be located in the southwest portion of the Project site and would be located below ground beneath a manhole cover, while a small pump house structure and electrical transformer would be visible above ground. Additional sewer infrastructure may be installed within the streets or as necessary to serve the site and would be reviewed and approved by the County and reviewing agencies, as appropriate.

Electricity, Natural Gas and Telecommunications

The Project site is currently developed with motorsports uses, including the presence of dry utilities and infrastructure. SCE currently provides electric power in the County through electricity distribution lines both aboveground and buried. The Project would connect to the existing SCE lines which would enable services to the site. Although some new utility infrastructure may be required on the site, such as rooftop photovoltaic solar panels as described in **Section 4.6: Energy**, extension of services is not anticipated to require the construction of any new off-site electric power facilities in order to serve the Project site. Electricity demands for the Project were modeled using the California Emissions Estimator Model (CalEEMod) and are estimated to be 101.46 Gigawatt Hours (GWh).²² This would constitute an insubstantial increase to the County’s annual electricity use (0.63 percent). While current electricity usage within the Project site is not currently known, it is anticipated that SCE would provide more electricity to the Project site as compared to what is currently consumed by the ACS based on the current structures present on the ACS site. This would represent a less than significant impact and mitigation is not required.

Due to the proximity of the SCE poles and lines to demolition activities associated with the 2-mile oval track, these power poles and lines would be relocated and realigned outside the area of all demolition activities as a result of implementing the Next Gen motorsports facility. The existing 66-kV transmission line will be relocated about 350 feet north of the existing location with construction of approximately 30 new poles approximately 65 to 80 feet in height. The replacement poles will match the existing poles in approximate height and configuration. Relocating all of the SCE power poles and line that is north of the existing location to a location along the ACS northern property boundary and adjacent to the active freight and passenger rail line would create a consistent alignment of the SCE poles and lines with the property lines and the other utilities. The relocation and realignment of the SCE power poles and lines would not require SCE to construct new facilities as the relocation process would not affect the current demand in electricity. The relocated overhead transmission line route will tie into the existing line located at the western most edge of the ACS property and will proceed north-east approximately 500 feet along the northerly property line. The line will turn south and run approximately 300 feet and tie into the existing dead-end engineered steel pole that transitions from overhead to an underground duck bank. Replacement poles will match the existing poles and construction would occur in accordance with accepted construction industry and SCE standards and is anticipated to take approximately twenty (20) days for each phase for a total of forty days to complete all work. All work would be scheduled during daylight hours. SCE would not need to increase its power supply to the site as a result of the relocation. If the SCE transmission line and poles are not relocated with the demolition of the ACS facilities, the

²² Modeling data is included as Appendix F of this EIR

Project would relocate the transmission line and poles. Impacts related to existing or planned utility facilities are anticipated to be less than significant without mitigation.

SCGC provides gas services to most of southern California, including the County. It is anticipated that the Project site would require some amount of natural gas to support future operations. Similar to electricity demands discussed above, it is anticipated that the Project's estimated natural gas demand of approximately 0.95 million therms would not generate a significant increase in the countywide annual demand (0.36 percent) (see **Table 4.6-7: Project Buildout Annual Energy Use During Operations**).²³ Additionally, it is not anticipated that new or expanded gas supply facilities would be required to serve the site.

Like the other dry utilities, telecommunication services would be extended to serve the Project site. This may involve the extension of services for existing providers and the petition for additional services from additional providers not currently present on the Project site. However, the construction of substantial new telecommunication infrastructures would not be required.

Mitigation Measures

No mitigation is required.

Impact 4.19-2 *Would sufficient water supplies be available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?*

Level of Significance: Less than Significant Impact

Construction and Operations

As discussed previously, the Project is separate from and would not include the Next Gen Project. Accordingly, the projected water demands for the Project are considered separate from the water demands from the Next Gen Project. However, the Project would construct new public roads, utilities, and infrastructure that would serve both the Project and the Next Gen Project, as well as relocate the existing water service connection to the ACS to a new location for the Next Gen Project. The WSA created for the Project calculated total Project water demand by multiplying the planned Project site area by a water use rate of 3,500 gallons per day (gpd) per acre derived from average recorded water use data for large industrial warehouse buildings within FWC's service area.²⁴

Water use on the Project site may involve the use of existing recycled water infrastructure, further reducing potable water demand. This could be accomplished through the use of existing recycled waterlines along Napa Street and the installation of additional recycled water facilities within proposed Streets "A," "B," "C," and "D." Recycled water supply is delivered at a lower cost than potable water and is not interrupted during drought restriction periods, making it ideal for irrigation uses.

The WSA concluded that potable water demand for the Project would be approximately 596 AFY. On-site and off-site irrigation demands for the Project were estimated by the Master Developer at approximately

²³ Modeling data is included as Appendix F of this EIR.

²⁴ The WSA is included as Appendix J of this EIR.

570 AFY of recycled water.²⁵ Pursuant to Water Loss Audits prepared by FWC (pursuant to the California Water Code), FWC's water system losses have averaged approximately 7.8 percent from calendar year 2016 to calendar year 2020.²⁶ Accounting for this average water loss, FWC would need to provide approximately 646 AFY of potable water and 618 AFY of nonpotable recycled water for irrigation.

The Project, along with other future industrial projects, have been incorporated into the projected water demands for the FWC 2020 UWMP²⁷ and were reasonably accommodated into future water supplies for the FWC during normal, dry-, and multiple dry-years. Projections included in the UWMP are based on potential buildout facilitated by land use designations within the service area. The FWC 2020 UWMP therefore included the buildout of the Project area based on its maximum allowable development density.²⁸ Since these water demands have been incorporated and accounted for, and do not directly necessitate the further development of water infrastructure, a less than significant impact would occur.

Mitigation Measures

No mitigation is required.

Impact 4.19-3 *Would the Project result in a determination by the wastewater treatment provider, which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?*

Level of Significance: Less than Significant Impact

Construction and Operations

The Project is separate from and would not include the Next Gen Project. Accordingly, the projected wastewater generation for the Project is considered separately from the wastewater generation of the Next Gen Project. However, the Project would construct new public roads, utilities, and infrastructure that would serve both the Project and the Next Gen Project.

Average nonresidential wastewater generation in 2019 was calculated to be 1,500 gallons per acre per day (gpad) for the County.²⁹ The Project would be comprised exclusively of nonresidential uses totaling 6,600,000 square feet of industrial development and 261,360 sf of commercial uses, or approximately 157.5 acres of building area. With the average daily wastewater generation rate from 2019 applied, the Project would generate approximately 236,250 gpd, or 0.24 MGD. As previously stated, the City of Fontana provides wastewater treatment through IEUA's four RPs. These RPs have the capacity to treat 86 MGD of wastewater. Currently, the system has a remaining capacity of 38 MGD. The Project's 0.24 MGD would comprise 0.6 percent of the systems treatment capacity, and 5.8 percent of the local RP-4's remaining capacity of 4 MGD. However, as previously stated, in the event that a RP is at or near capacity, wastewater flows can be diverted to other RPs in the service area. As previously noted, the Project's water

²⁵ Calculations are included in the WSA within Appendix J of this EIR.

²⁶ California Department of Water Resources. 2020. *Water Audit Data Reports*. https://wuedata.water.ca.gov/awwa_plans (accessed December 2021).

²⁷ Stetson Engineers, Inc. 2021. *Water Supply Assessment for the Speedway Commerce Center II Project*. Pages 27 through 29. Meza, AZ: Stetson Engineers, Inc.

²⁸ Ibid.

²⁹ County of San Bernardino. 2019. *San Bernardino Countywide Plan Draft PEIR*. Page 5.18-15. http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-18-USS.pdf (accessed November 2021).

demand has been incorporated into the FWC 2020 UWMP, which did not conclude that further wastewater infrastructure would be required due to Project implementation.³⁰ Therefore, impacts to wastewater treatment flows would be less than significant with no mitigation required.

Mitigation Measures

No mitigation is required.

Impact 4.19-4 *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?*

Level of Significance: Less than Significant Impact

Construction and Operations

Solid waste produced by the Project would be collected through partnerships with the SWMD and sent to either the Mid-Valley Landfill or the San Timoteo Sanitary Landfill. As shown in **Table 4.19-4: Landfill Capacities** above, the Mid-Valley Landfill has a remaining capacity of 61,219,377 cubic yards with a daily throughput of 7,500 tons per day.³¹ The San Timoteo Sanitary Landfill has a remaining capacity of 12,360,396 cubic yards with a daily throughput of 2,000 tons per day.³² Combined, the two landfills have a remaining capacity of 73,579,773 cubic yards with a daily throughput of 9,500 tons per day. The Project would generate waste at a rate of 0.010 pounds per square foot per day which, when applied to the 6,861,360 square foot building area of the Project would be equal to approximately 68,614 pounds per day, or approximately 34 tons per day.³³ The Project's waste generation would be 0.45 percent of the Mid-Valley daily throughput and 1.7 percent of the San Timoteo daily throughput, but only 0.36 percent of the combined daily throughput of both landfills. The Project would comply with state and local solid waste standards and reduction goals as discussed in Impact 4.19-5, below. The Project would therefore pose a less than significant increase to the landfills' capacities and a less than significant impact would occur.

Mitigation Measures

No mitigation is required.

Impact 4.19-5 *Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

Level of Significance: Less than Significant Impact

³⁰ Stetson Engineers, Inc. 2021. *Water Supply Assessment for the Speedway Commerce Center II Project*. Page 29. Meza, AZ: Stetson Engineers, Inc.

³¹ CalRecycle. 2019. *SWIS Facility/Site Activity Details: Mid-Valley Sanitary Landfill (36-AA-0055)*. <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1880?siteID=2662> (accessed October 2021).

³² CalRecycle. 2019. *SWIS Facility/Site Activity Details: San Timoteo Sanitary Landfill (36-AA-0087)*. <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1906?siteID=2688> (accessed October 2021).

³³ County of San Bernardino. 2019. *San Bernardino Countywide Plan Draft PEIR*. Pages 5.18-62 through 5.18-69. http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-18-USS.pdf (accessed November 2021).

Construction and Operations

The Project would comply with applicable local, state, and federal regulations regarding solid waste, including those of the County. All solid wastes would be deposited at the Mid-Valley Landfill or San Timoteo Sanitary Landfill, operated by the County's Department of Public Works and SWMD. The Project is anticipated to generate solid waste during the temporary, short-term construction phase, as well as the operational phase, but it is not anticipated to result in inadequate landfill capacity. Countywide Plan Policy IU-4.3 requires the County and its subsequent projects to meet or exceed the state waste diversion requirements such as those outlined in AB 341. AB 341 would require that at least 75 percent of waste generated from construction activities be diverted to recycling centers. The Project would also comply with local measures such as County Code § 46.0602, which requires the diversion of commercial solid waste to adequate facilities in accordance with state laws. Through compliance with applicable regulations, the Project would result in a less-than-significant impact.

Mitigation Measures

No mitigation is necessary.

4.19.6 Cumulative Impacts

For purposes of public utilities and service systems, cumulative impacts are considered for projects located within the County. As discussed above, all Project impacts to utilities and service systems would be less than significant in consideration of compliance with existing laws, ordinances, regulations, and standards. Impacts are generally localized and occur at different times in keeping with the phasing of each Planning Area development, and would therefore avoid significant cumulative impacts from multiple overlapping developments. Therefore, impacts are not anticipated to be cumulatively considerable. Other past, present, and reasonably foreseeable projects would be anticipated to implement similar measures, comply with existing laws, ordinances, regulations, and standards, or implement mitigation to fully mitigate their contribution to cumulative impacts. Therefore, there are no significant cumulative impacts anticipated relative to public utility and service systems, and the Project's contribution toward potential future utility and service system impacts in the County is not cumulatively considerable.

4.19.7 Significant Unavoidable Impacts

No significant unavoidable impacts concerning utilities and service systems have been identified.

4.19.8 References

California Department of Fish and Wildlife. 2022. *Lake and Streambed Alteration Program*. Retrieve from: <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA#55227743-fees> (accessed January 2022)

CalRecycle. (2019). *SWIS Facility/Site Activity Details: Mid-Valley Sanitary Landfill (36-AA-0055)*. Retrieved from: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1880?siteID=2662>.

CalRecycle. (2019). *SWIS Facility/Site Activity Details: San Timoteo Sanitary Landfill (36-AA-0087)*.

Retrieved from:

<https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1906?siteID=2688>.

County of San Bernardino. (2019). *San Bernardino Countywide Plan Draft PEIR*. Retrieved from:

http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-18-USS.pdf.

San Gabriel Water Company Fontana Water Company Division. (2021). 2020 Urban Water Management Plan. Retrieved from: <https://www.fontanawater.com/wp-content/uploads/2021/10/FWC-2020-UWMP-June-2021-Final.pdf>.

4.20 WILDFIRE

4.20.1 Introduction

The purpose of this section is to describe the potential wildfire hazards impacts that may result from the implementation of the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project) within the County by identifying any existing wildfire hazard conditions of the Project site and surrounding area; considering applicable federal, state, and regional goals and policies; identifying and analyzing environmental impacts; and recommending measures to minimize or avoid any potentially adverse impacts.

Information presented in this wildfire hazards impact analysis is derived largely from the County Multi-Jurisdictional Hazard Mitigation Plan (HMP). Other information in this section, such as regulatory framework, is derived from the various planning documents including the Countywide Plan and its associated EIR, County of San Bernardino Development Code, and pertinent State of California Building Codes (CBC).

4.20.2 Environmental Setting

In general, wildfires pose the greatest risk in the forested, open space, and undeveloped portions of the County as well as at the edge of developments within the Wildland Urban Interface (WUI). The severity of potential wildfires is influenced by four factors: vegetation, climate, topography, and how the fire was started. In the southwestern portion of the County, forest vegetation associated with the San Bernardino National Forest and the Angeles National Forest is present. South of the forested areas, this portion of the County is highly developed, while areas to the north and east of the forests within the County are comprised of a mainly desert environment. According to the Land Cover layer in California Department of Fish and Wildlife's BIO Viewer,¹ the majority of the Project site is classified as Developed (includes highly developed areas and areas with a mixture of constructed materials and vegetation). The Project site and surrounding area within this unincorporated portion of the County are highly developed.

CAL FIRE has mapped areas of significant fire hazards in the state through its Fire and Resources Assessment Program (FRAP). These maps place areas of the state into different Fire Hazard Severity Zones (FHSZs) based on a hazard scoring system using subjective criteria for fuels, fire history, terrain influences, housing density, and occurrence of severe fire weather where urban conflagration could result in catastrophic losses. As part of this mapping system, land where CAL FIRE is responsible for wildland fire protection and generally located in unincorporated areas is classified as a State Responsibility Area (SRA). Where local fire protection agencies, such as the San Bernardino County Fire Protection District (SBCFPD), are responsible for wildfire protection, the land is classified as a Local Responsibility Area (LRA). This classification designates areas in which fire hazard mitigation and responsibility would be the jurisdiction of the local agency. In addition to establishing local or state responsibility for wildfire protection in a specific area, CAL FIRE designates areas as very high fire hazard severity zones (VHFHSZ), High (HFHSZ), and Moderate (MFHSZ). According to the State of California Fire Hazard Severity Zone viewer, the entire

¹ CDFW. ND. BIOS, NLCD 2016 Land Cover layer. <https://apps.wildlife.ca.gov/bios/?bookmark=940> (accessed November 2021).

Project site and surrounding area is designated as LRA.² This is also shown in the County's web-based fire hazard map.³ According to CAL FIRE's FHSZ Viewer, the closest VHFHSZ in an LRA is located approximately three miles north of the Project site, northwest of the SR-210/I-15 interchange, associated with the foothills of the San Gabriel Mountains. CAL FIRE's Incidents Overview map and archive data dating back to 2013 were also reviewed and found that no incidents have been documented in this portion of unincorporated San Bernardino County.⁴

It should be noted that at 20,160 square miles, San Bernardino County is the largest county in the continental United States. SBCFPD's jurisdiction encompasses approximately 19,200 square miles of extremely diverse environments that stretch from the Los Angeles County line on the west, to the Colorado River on the east, to the Nevada State line and Kern and Inyo counties on the north. SBCFPD provides services to more than 60 communities/cities and all unincorporated areas of the County.⁵

The local climatic conditions in the Project area are characterized by warm summers, mild winters, infrequent rainfall, and dry humidity. The average annual rainfall is approximately 17.31 inches.

Wildfire Characteristics

According to the National Park Service (NPS), a wildfire, or wildland fire, is described as a non-structure fire that occurs in vegetation such as trees, grasses, and shrubs, and is not a prescribed fire.⁶ Wildfires have differing causes such as lightning strikes and wind-blown embers, but are most commonly caused by human activities. Wildfires may originate in undeveloped areas and spread to developed or urban areas where the landscape and structures are not designed and maintained to be ignition or fire resistant. The International Association of Fire Chiefs' Ready, Set, Go! website defines a Wildland-Urban Interface (WUI) as areas where homes are built near or among lands prone to wildland fire.⁷ The potential for wildland fires represents a hazard where development is adjacent to open space or in proximity to wildland fuels or FHSZ. Fires that occur in WUI areas may affect natural resources as well as life and property.

The potential for wildfires to affect an area are largely dependent on vegetation patterns within a given area and the density of the vegetative growth. The vegetation is typically defined as having low, moderate, or high fuel loads. Light fuels typically consist of flammable grasses and annual herbs; medium fuels are brush and shrubs less than six feet in height, and heavy fuels are heavier brush and timber over six feet high. Topography also influences fire risk by affecting fire spread rates. Steep terrain can result in faster fire spread upslope and terrain that create funneling effects, such as canyons. These landscapes can result in especially intense fire behavior. Conversely, flat terrain or those with slight elevation changes tend to have little effect on fire spread. In these instances, the fire spread is largely driven by vegetation and weather conditions such as humidity and wind.

² CAL FIRE. ND. *FHSZ Viewer*. <https://egis.fire.ca.gov/FHSZ/> (accessed September 2021).

³ San Bernardino County. 2020. HZ-6 Fire Responsibility Area.

<https://www.arcgis.com/apps/webappviewer/index.html?id=1510b4688d8741e8be076d9e25afec2d> (accessed March 2022)

⁴ CAL FIRE. 2013-2022. *Incidents Overview*. <https://www.fire.ca.gov/incidents> (accessed March 2022).

⁵ SBCFPD. 2021. *Where We Serve*. <https://sbcfire.org/about/> (accessed September 2021).

⁶ National Park Service. 2018. *Types of Wildland Fire*. <https://www.nps.gov/subjects/fire/types-of-wildland-fire.htm> (accessed September 2021).

⁷ International Association of Fire Chiefs. 2019. *Wildland Urban Interface*. https://www.wildlandfirersg.org/s/iafc2/what-is-the-wildland-urban-interface-MCVXRWBHESZFCQ7IV6PER5CF6UVUQ?language=en_US (accessed September 2021).

4.20.3 Regulatory Setting

Federal

Federal Emergency Management Act

In March 2003, the Federal Emergency Management Act (FEMA) became part of the U.S. Department of Homeland Security. FEMA's continuing mission is to lead the effort to prepare the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

Disaster Mitigation Act of 2000

This Act (42 United States Code [USC] § 5121) was signed into law to amend the Robert T. Stafford Disaster Relief Act of 1988 (42 USC § 5121-5207). Among other things, this legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and is aimed primarily at the control and streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this Act include:

- i. Funding pre-disaster mitigation activities;
- ii. Developing experimental multi-hazard maps to better understand risk;
- iii. Establishing state and local government infrastructure mitigation planning requirements;
- iv. Defining how states can assume more responsibility in managing the hazard mitigation grant program; and
- v. Adjusting ways in which management costs for projects are funded.

The mitigation planning provisions outlined in § 322 of this Act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation [AIM]) to develop county government plans. The consequence for counties that fail to develop an infrastructure mitigation plan is the chance of a reduced federal share of damage assistance from 75 percent to 25 percent if the facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

*National Fire Plan*⁸

In 2000, the National Fire Plan was developed by the secretaries of the Departments of Agriculture and Interior as a report on how to respond to severe, ongoing fire activity, reduce impacts of fires on rural communities and the environment, and ensure sufficient firefighting resources in the future. This report, entitled *Managing the Impacts of Wildfire on Communities and the Environment: A Report to the President in Response to the Wildfires of 2000*, became the basis of the National Fire Plan. The National Fire Plan addresses five objectives: Firefighting, Rehabilitation, Hazardous Fuels Reduction, Community Assistance, and Accountability. The National Fire Plan developed its implementation strategy via its 10-Year

⁸ U.S. Department of the Interior and USDA Forest Service. 2002. *National Fire Plan*. https://www.fs.fed.us/database/budgetoffice/NFP_final32601.pdf (accessed September 2021).

Comprehensive Strategy and its Implementation Plan. Based on these two reports, in 2002 the President at the time (George W. Bush) announced the Healthy Forest Initiative to implement the National Fire Plan; this became the Healthy Forests Restoration Act of 2003. The National Fire Plan, as enacted under the Healthy Forests Restoration Act of 2003, works towards the goals of reducing the devastation of wildland fires and improving the health of forests and rangelands.

The National Cohesive Wildland Fire Management Strategy⁹

Under the direction of the Federal Land Assistance, Management, and Enhancement Act of 2009 (the FLAME Act), the Secretary of the Interior and the Secretary of Agriculture created the National Cohesive Wildland Fire Management Strategy report. This report contains a cohesive wildfire management strategy as directed by the FLAME Act and under the advisement of the intergovernmental Wildland Fire Leadership Council. The most recent version of this report is 2014's *The National Strategy: The Final Phase in the Development of the National Cohesive Wildland Fire Management Strategy*.

State

California Department of Forestry and Fire Protection

California Code of Regulations Title 14, Division 1.5, Department of Forestry and Fire Protection (CAL FIRE) protects the people of California from fires, responds to emergencies, and protects and enhances forest, range, and watershed values providing social, economic, and environmental benefits to rural and urban citizens. Another major responsibility of CAL FIRE is to use its firefighters, fire engines, and aircraft to respond to wildland fires. In 2020 (between January 1 and December 29) there were a total of 8,112 wildfires in the state that burned across 1,443,152 acres.¹⁰

The Office of the State Fire Marshal supports CAL FIRE's mission by focusing on fire prevention. It provides support through a wide variety of fire safety responsibilities including by regulating buildings in which people live, congregate, or are confined; by controlling substances and products which may, in and of themselves, or by their misuse, cause injuries, death, and destruction by fire; providing statewide direction for fire prevention in wildland areas; regulating hazardous liquid pipelines; reviewing regulations and building standards; and providing training and education in fire protection methods and responsibilities.

State Fire Regulations

Fire regulations for California are established in § 13000 et seq. of the California Health and Safety Code (HSC) and include regulations for structural standards (similar to those identified in the CBC); fire protection and public notification systems; fire protection devices such as extinguishers and smoke alarms; standards for high-rise structures and childcare facilities; and fire suppression training. The State Fire Marshal is responsible for enforcement of these established regulations and building standards for all state-owned buildings, state-occupied buildings, and state institutions within California.

⁹ USDA and U.S. Forest Service. ND. *National Cohesive Wildland Fire Management Strategy*. <https://www.fs.fed.us/restoration/cohesivestrategy.shtml> (accessed September 2021).

¹⁰ CAL FIRE. 2021. *2020 Statistics and Events*. <https://www.fire.ca.gov/stats-events/> (accessed September 2021).

California Fire Plan

The California Fire Plan is a cooperative effort between the State Board of Forestry and Fire Protection and CAL FIRE. By placing the emphasis on what needs to be done long before a fire starts, the Fire Plan looks to reduce firefighting costs and property losses, increase firefighter safety, and contribute to ecosystem health. The 2018 Strategic Fire Plan for California is the most current plan.¹¹

California Public Resources Code §§ 4290 and 4291

These regulations, which implement minimum fire safety standards related to defensible space, apply to the perimeters and access to all commercial, industrial, and residential building construction with an SRA (approved after January 1, 1991), and within lands classified and designated as VHFHSZ (after July 1, 2021). The person(s) who control, lease, maintain, operate, or own such a building in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable materials is required to preserve a defensible space of 100 feet from the perimeter of the building. The regulations include the following:

- Road standards for fire equipment access.
- Standards for signs identifying streets, roads, and buildings.
- Minimum private water supply reserves for emergency fire use.
- Fuel breaks and greenbelts.

These regulations do not supersede local regulations which equal or exceed minimum regulations adopted by the state.

California Government Code § 66474.02

This regulation states that before a county can approve a tentative map (or a parcel map for which a tentative map was not required) for an area or development located in an SRA or a VHFHSZ, the following findings must be made:

1. A finding supported by substantial evidence in the record that the subdivision is consistent with regulations adopted by the State Board of Forestry and Fire Protection pursuant to §§ 4290 and 4291 of the Public Resources Code (PRC) or consistent with local ordinances certified by the State Board of Forestry and Fire Protection as meeting or exceeding the state regulations.
2. A finding supported by substantial evidence in the record that structural fire protection and suppression services will be available for the subdivision through any of the following entities:
 - A. A county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity.
 - B. The Department of Forestry and Fire Protection by contract entered into pursuant to §§ 4133, 4142, or 4144 of the PRC.

¹¹ State Board of Forestry and Fire Protection and CAL FIRE. 2018. *2018 Strategic Fire Plan for California*. https://osfm.fire.ca.gov/media/5590/2018-strategic-fire-plan-approved-08_22_18.pdf (accessed September 2021).

Upon approving a tentative map, or a parcel map for which a tentative map was not required, for an area (development) located in an SRA or VHFHSZ, the county shall transmit a copy of the findings and accompanying maps to the State Board of Forestry and Fire Protection.

2019 California Building Code, Chapter 7A (July 2021 Supplement)

Chapter 7A of the CBC focuses primarily on preventing ember penetration into homes, a leading cause of structure loss from wildfires. These codes have been developed through decades of after fire structure “save” and “loss” evaluations to determine what causes buildings to ignite or avoid ignition during wildfires. The resulting fire codes now focus on mitigating former structural vulnerabilities through construction techniques and materials so that the buildings are resistant to ignitions from direct flames, heat, and embers, as indicated in the 2019 CBC (Chapter 7A, Section 701A Scope, Purpose and Application).

2019 California Fire Code, Chapter 49 Requirements for WUI Fire Areas

This code provides minimum standards to increase the ability of a building or structure to resist the intrusion of flame or burning embers being projected by a vegetation fire and contributes to a systematic reduction in fire losses through the use of performance and prescriptive requirements. Buildings and structures located on unincorporated land designated as an SRA MFHSZ, HFHSZ, and VHFHSZ and land designated as VHFHSZ by a city or other local agency shall maintain the required hazardous vegetation and fuel management standards.

Fire hazard designations are based on topography, vegetation, and weather, amongst other factors with more hazardous sites including steep terrain, unmaintained fuels/vegetation, and WUI locations. Projects situated in HFHSZ’s require fire hazard analysis and application of fire protection measures that have been developed to specifically result in defensible communities in these WUI locations.

2019 California Fire Code

CCR Title 24, Part 9 (2019 California Fire Code) contains regulations relating to construction and maintenance of buildings, the use of premises, and the management of WUI areas, among other issues. The California Fire Code is updated every three years by the California Building Standards Commission and was last updated in 2021 (July 2021 Supplement). The Fire Code sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. It contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code also include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. Development under the Project would be subject to applicable regulations of the California Fire Code.

Title 8 California Code of Regulations §§ 1270 and 6773

In accordance with California Code of Regulations (CCR), Title 8 § 1270 “Fire Prevention” and § 6773 “Fire Protection and Fire Equipment,” the California Occupational Safety and Health Administration (Cal-OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to: guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

2019 California Building Standards Code

California building standards are published in the CCR, Title 24, also known as the California Building Standards Code (CBSC). The CBSC, which applies to all applications for building permits, consists of 12 parts that contain administrative regulations for the California Building Standards Commission and for all state agencies that implement or enforce building standards. Local agencies must ensure the development complies with the guidelines contained in the CBSC. Cities and counties can adopt additional building standards beyond the CBSC including the CBSC Part 2, named the CBC, which is based upon the 2018 International Building Code, and Part 11, named the California Green Building Standards Code, also called the CalGreen Code.

California Health and Safety Code

State fire regulations are set forth in California HSC § 13000 et seq., and include provisions concerning building standards, fire protection and notification systems, fire protection devices, and fire suppression training, as also set forth in the 2019 CBSC and related updated codes.

Emergency Mutual Aid Agreements

The Emergency Mutual Aid Agreements (EMMA) system is a collaborative effort between city and county emergency managers in the Office of Emergency Services (OES) in the coastal, southern, and inland regions of the state. EMMA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center, local Emergency Operations Centers, the Disaster Field Office, and community service centers. The purpose of EMMA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the EMAA, local and state emergency managers have responded in support of each other under a variety of plans and procedures.

California Governor’s Office of Emergency Management Agency

In 2009, the State of California passed legislation creating the California Governor’s Office of Emergency Management Agency (Cal-EMA) and authorizing it to prepare a Standardized Emergency Management System (SEMS) program (Title 19 CCR § 2400 et seq.), which sets forth measures by which a jurisdiction should handle emergency disasters. Non-compliance with SEMS could result in the state withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster.

Cal-EMA serves as the lead state agency for emergency management in the state. Cal-EMA coordinates the state response to major emergencies in support of local government. The primary responsibility for

emergency management resides with local government. Local jurisdictions first use their own resources and, as these are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the state through the statewide mutual aid system. In California, the SEMS provides the mechanism by which local governments request assistance. Cal-EMA serves as the lead agency for mobilizing the state's resources and obtaining federal resources; it also maintains oversight of the state's mutual aid system.

Senate Bill 1241

California's increasing population and the expansion of development into previously undeveloped areas has created more "wildland-urban interface" issues with a corresponding increased risk of loss to human life, natural resources, and economic assets associated with wildland fires. Additionally, the changing climate, specifically rising temperatures and increasing temporal variability of water availability has substantially increased wildfire risk in many areas around the State. To address these State-wide concerns, Senate Bill (SB) 1241 (Kehoe, 2012) was passed in September 2013 which required the Office of Planning and Research (OPR), the Natural Resource Agency, and CAL FIRE to develop "amendments to the initial study checklist of the [CEQA Guidelines] for the inclusion of questions related to fire hazard impacts for projects located on lands classified as SRAs, as defined in Section 4102, and on lands classified as VHFHSZ, as defined in Subdivision (i) of Section 51177 of the Government Code." (PRC § 21083.01).

California Code of Regulations Sections 51175 through 51189

This portion of the California Code of Regulations establishes the moderate, high, and very high FSZs within the State. This regulation allows emergency response and hazard management departments to effectively locate areas which are more susceptible to fire hazards. This law also provides the framework for further preventive measures to decrease wildfire hazards.

Local

The Countywide Plan

A goal and policies from the Countywide Plan's Hazards Element¹² relevant to the Project are as follows:

Goal HZ-1 **Natural Environmental Hazards. Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by natural environmental hazards and adaptation to potential changes in climate.**

Policy HZ-1.2 **New development in environmental hazard areas.** We require all new development to be located outside of the environmental hazard areas listed below. For any lot or parcel that does not have sufficient buildable area outside of such hazard areas, we require adequate mitigation, including designs that allow occupants to shelter in place and to have sufficient time to evacuate during times of extreme weather and natural disasters.

- Flood: 100-year flood zone, dam/basin inundation area

¹² County of San Bernardino. 2020. *The Countywide Plan, Hazards Element*. <http://countywideplan.com/policy-plan/beta/hz/> (accessed September 2021).

- Geologic: Alquist-Priolo earthquake fault zone; County-identified fault zone; rockfall/debris-flow hazard area, medium or high liquefaction area (low to high and localized), existing and County-identified landslide area, moderate to high landslide susceptibility area)
- Fire: high or very high fire hazard severity zone

Policy HZ-1.7 **Underground utilities.** We require that underground utilities be designed to withstand seismic forces, accommodate ground settlement, and hardened to fire risk.

Policy HZ-1.12 **Local hazard mitigation plan implementation.** We require adherence to the goals, objectives and actions in the Multi-jurisdictional Hazard Mitigation Plan and subsequent amendments to reduce and mitigate damages from hazards in the county.

Policy HZ-1.14 **Long-term fire hazard reduction.** We require proactive vegetation management/hazard abatement to reduce fire hazards on existing private properties, along roadsides of evacuation routes out of wildfire prone areas, and other private/public land where applicable, and we require new development to enter into a long-term maintenance agreement for vegetation management in defensible space, fuel modification, and roadside fuel reduction in the Fire Safety Overlay and/or Very High Fire Hazard Severity Zones.

San Bernardino County Fire Hazard Abatement Program

In an effort to reduce the threat of wildfires, the San Bernardino County Fire Hazard Abatement (FHA) Program enforces the fire hazard requirements outlined in San Bernardino County Code §§ 23.0301-23.0319. The primary function of the FHA Program is to reduce the risk of fires within communities by pro-actively establishing defensible space and reduction/removal of flammable materials on properties.

The FHA Program conducts surveys to identify fire hazards throughout the year. Fire hazards are identified and notices to abate the hazard(s) are mailed to property owners. Property owners are given 30 days to abate the violations. Failure to abate may result in citations, penalties, and/or fees for abatement by the County. The FHA Program responds to complaints year-round in the unincorporated areas and contracting cities and fire districts.

San Bernardino County Multi-Jurisdictional Hazard Mitigation Plan

The intent of the County's Multi-Jurisdictional HMP is to reduce and/or eliminate loss of life and property as a result of natural hazards through appropriate hazard mitigations. Hazard mitigation is defined by FEMA as "any action taken to reduce or eliminate the long-term risk to human life and property from natural hazards." FEMA also defines a "hazard" as "any event or condition with the potential to cause fatalities, injuries, property damage, infrastructure damage, agricultural loss, environmental damage, business interruption, or other loss."

The purpose of the HMP is to demonstrate the plan for reducing and/or eliminating risk in the unincorporated area of the County and within areas overseen or managed by the County Flood Control District, Fire District and Special Districts Department. The County HMP is a "living document" that is

reviewed, monitored, and updated to reflect changing conditions and new information. As required by law, the HMP is updated every five years to remain in compliance with regulations and federal mitigation grant conditions. The current County HMP was approved by FEMA in July 2017.

San Bernardino County Code of Ordinances

San Bernardino County Code of Ordinances, §§ 23.0301–23.0319 requires that “every owner or person in control of any land or interest therein in the unincorporated area of the County shall abate all fire hazards and hazardous trees from such land and from all sidewalks, parkways, road easements and all other easements on such land.” Specifically, § 23.0301 states that “every owner and person in control of any buildings or structures in, upon, or adjoining any mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or any land that is covered with flammable material within the unincorporated area of the County of San Bernardino” shall at all times do the following:

- a. Maintain a firebreak by removing and clearing away, for a distance of not less than 30 feet on each side of the building or structure or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. Single specimens of trees or other vegetation may be retained provided they are well-spaced, well-pruned as defined in § 23.0304 for mountain areas in this Chapter, and create a condition that avoids spread of fire to other vegetation or to a building or structure.
- b. Provide a fuel break within 30 feet to 100 feet of a building or structure by disrupting the vertical and/or horizontal continuity of flammable and combustible vegetation with the goal of reducing fire intensity, inhibiting fire in the crowns of trees, reducing the rate of fire spread, and providing a safer environment for firefighters to suppress wildfire and provide structure protection in and around wildland urban interface communities. Additional fire protection or firebreak shall be made by the removal of brush, flammable vegetation, or combustible growth that is located within 100 feet from the building or structure or to the property line or at a greater distance if provided by law.
- c. Property owners who do fuel reduction activities that remove or dispose of vegetation should make every effort to properly reuse and/or recycle the resultant materials either on-site or at an appropriate off-site facility, without creating additional fire hazards and are required to comply with all federal, state, or local environmental protection laws and obtain permits when necessary. Environmental protection laws include, but are not limited to, threatened and endangered species, water quality, air quality, and cultural/archeological resources.”

Additionally, Chapter 82.13 of the County Code of Ordinances outlines requirements applicable to areas located within a County designated Fire Safety (FS) Overlay. The FS Overlay, which is mapped on the County General Plan Hazards Maps, corresponds to distinct geographic areas and the associated wildland fire hazard and was created to provide greater public safety in areas prone to wildland brush fires, by establishing additional development standards for these areas. Per County General Plan Hazard Overlays FH28B (Fontana) and FH28B (Bloomington), the Project site is not located within a County Fire Safety (FS) Overlay zone.¹³ The FS Overlay zone represents areas within the County’s mountains, valley foothills, and

¹³ County of San Bernardino. 2010. *Hazard Maps, FH 28B Guasti and FH 29B Fontana*. <http://cms.sbcounty.gov/lus/Planning/ZoningOverlayMaps/HazardMaps.aspx#Valley> (accessed September 2021).

desert regions designated by the Fire Authority as a wildfire risk area. It includes all the land generally characterized by areas varying from relatively flat to steep sloping terrain and with moderate to heavy fuel loading contributing to high fire hazard conditions. Per § 82.13.030 of the County Code, present and future development within the FS Overlay are exposed to the impacts of wildland fires and other natural hazards primarily due to native fuel types, topography, and prevailing weather conditions such as Santa Ana winds. These factors can contribute to the potential of extreme wildland fire behavior conditions.

San Bernardino County Emergency Operations Plan

The San Bernardino County Emergency Operations Plan (EOP) addresses the County's response to emergencies associated with natural disasters or human-caused emergencies. The plan identifies existing conditions, infrastructure, threats, and hazards, and then describes the process and roles for the response and recovery actions.

The EOP provides a comprehensive, single source of guidance and procedures for the County to prepare for and respond to significant or catastrophic natural, environmental, or conflict-related risks that produce situations requiring coordinated response. It further provides guidance regarding management concepts relating to response and abatement of various emergencies, identifies organizational structures and relationships, and describes responsibilities and functions necessary to protect life and property.

4.20.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning wildfire. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section.

If the Project is located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:

- Substantially impair an adopted emergency response plan or emergency evacuation plan;
- 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 wildfire;
- 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; or
- 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?

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining whether the Project will cause any potentially significant impacts concerning wildfire hazards. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. As applicable, feasible

mitigation measures are recommended to avoid or reduce the Project's potentially significant environmental impacts.

Approach to Analysis

This analysis of impacts from wildfire hazards examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. For each criterion, the analyses are generally divided into two main categories: (1) temporary impacts; and (2) permanent impacts. Each criterion is discussed in the context of Project components that share similar characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field observations conducted by Kimley-Horn by December 13, 2021 (date of distribution for the Notice of Preparation); review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on wildfire hazards considers the available policies and regulations established by local and regional agencies and any deviation from these policies in the Project's components.

4.20.5 Impacts and Mitigation Measures

Impact 4.20-1 *If located in or near SRA or lands classified as VHFHSZ, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

Level of Significance: No Impact

Construction and Operations

According to CAL FIRE's Fire and Resource Assessment Program, FHSZ Viewer, the Project site is not located in or near a SRA; the nearest SRA to the development site is located approximately four miles to the north. The Project site is located in a Local Responsibility Area. In addition, the Project site does not contain lands classified as a VHFHSZ.¹⁴ The closest VHFHSZs are located approximately three miles to the north and south of the Project site. Review of Exhibit HZ-5: Fire Hazard Severity Zones of the Countywide Plan further supports the finding that the Project site is not located in or near an SRA and the Project site is not within a VHFHSZ.¹⁵ Accordingly, the Project will not cause any impacts.

In addition, it is important that existing roadways and emergency routes are maintained in support of emergency vehicles and that the Project provides adequate site access for emergency vehicles during both the construction and operational phases. The Project site would have multiple points of ingress/egress per the Conceptual Land Use plan and vehicular circulation description as defined in the Specific Plan. The

¹⁴ CAL FIRE. ND. *FHSZ Viewer*. <https://egis.fire.ca.gov/FHSZ/> (accessed September 2021).

¹⁵ County of San Bernardino. 2020. *HZ-5 Fire Hazard Severity Zones*.

<https://www.arcgis.com/apps/webappviewer/index.html?id=355f9beb4a8f446e8869459e91d58431> (accessed September 2021).

Project would not alter or impact any existing emergency access roads or evacuation routes as identified in the County's HMP, but future development as described in the Specific Plan would improve the access through the Project site. The Project is located in a fully developed area with improved streets and emergency routes. Furthermore, the Project would be required to construct minimal off-site improvements or pay development fees towards future improvements, as described in **Section 4.17: Transportation**, that would further improve emergency access to the site and adjacent properties.

Furthermore, the County's and County Fire Department's review of all future permits for development would include review of access for emergency vehicles during construction and operation, in accordance with the California Fire Code. Compliance with the requirements for emergency lane width, vertical clearance, and distance would ensure that adequate emergency access is available for all new development and redevelopment projects. As noted above, the Project site is within an existing developed area of the County surrounded by existing developed roadways. Future construction and operation of the Project is not expected to create risks of wildfire since the site is located in an urbanized area of the County and is not adjacent to wildland area. The proposed construction, along with the removal of any brush, trees, and grasses would limit the potential for wildfire spreading by removal of source materials. Due to multiple points of ingress/egress, building designs compliant with state, regional, and local codes; and designation of the Project site in a Non-VHFHSZ zone; buildout of the Project would not interfere with emergency response and evacuation plans of the County. No impact would occur in this regard.

Mitigation Measures

No mitigation is necessary.

Impact 4.20-2 *If located in or near SRA or lands classified as VHFHSZ, would the project, due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

Level of Significance: No Impact

Construction and Operations

Refer to Impact 4.20-1, above. The Project site is not located in or near an SRA and the Project site does not contain lands classified as VHFHSZs. Accordingly, there will be no impact. The Project would also not exacerbate wildfire risks or expose Project occupants to pollutant concentrations or the uncontrolled spread of a wildfire. The Project site is not located in areas with steep slopes that can accelerate the spread of wildfire and the majority of the site is developed with no native habitat or soil (see **Section 4.4: Biological Resources**). All new landscape plans, design standards, and development guidelines would be reviewed by the County and County Fire Department and landscaping would be installed and maintained as required. The Project site could experience periods with high winds from the east, that could create a greater risk for the structures on-site; however, the Project site is predominantly surrounded by existing development including industrial, commercial, and some residential uses. Other Project components discussed below also reduce the fire risk from high winds.

Due to the presence of surrounding development, presence of area roadways, lack of steep slopes, and construction methods of high-cube logistics, e-commerce, and commercial uses, it is not likely that future development on the Project site would be affected by a wildfire during construction or operations. The development guidelines, development regulations, and suggested materials within the Specific Plan specify that future construction of high-cube logistics and e-commerce structures or commercial buildings shall be predominantly concrete structures which are not typically susceptible to fire. Additionally, all future Project development will be consistent with the California Building Code requiring new buildings to use ignition-resistant construction methods and materials as well as fire suppression systems. These design elements are expected to reduce exposure of the Project site and structures to fire. No impact would occur in this regard.

Mitigation Measures

No mitigation is necessary.

Impact 4.20-3 *If located in or near SRA or lands classified as VHFHSZ, 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?*

Level of Significance: No Impact

Construction and Operations

Refer to Impact 4.20-1, above. The Project site is not located in or near an SRA and does not contain lands classified as VHFHSZs. The Project is located in an urbanized area of the County in a predominantly built out commercial/industrial zone. The Project site is not located near the wildland interface. The SCCIISP would allow the future development of up to approximately 6.6 million square feet (sf) of high-cube logistics and e-commerce uses, 261,360 sf of ancillary commercial uses, and approximately 98 acres of vehicle parking/drop lot area. The Project would adhere to the California Fire Code, the HMP and EOP, and any applicable Building codes. Construction and operation of the Project would not increase the risk of fire.

The Project site would include installation of utilities and roads within the Project area and connect to existing off-site utilities and roads as necessary. Future development within the Project would not include and does not require any fuel breaks. In addition, emergency water sources are not required beyond water supply needed to comply with applicable building codes. No elements of the Project would exacerbate the risk of wildfire or generate environmental impacts. The Project is completely surrounded by suburban and urban development. No impact would occur in this regard.

Mitigation Measures

No mitigation is necessary.

Impact 4.20-4 *If located in or near SRA or lands classified as VHFHSZ, 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?*

Level of Significance: No Impact

Construction and Operations

Refer to Impact 4.20-1, above for a description of the Project's lack of proximity to SRAs and VHFHSZs. The Project site is not located in or near an SRA and does not contain lands classified as VHFHSZs. The Project would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. Potential impacts regarding flooding, landslides, and drainage are further discussed in **Section 4.7: Geology and Soils** and **Section 4.10: Hydrology and Water Quality**. No impact would occur in this regard.

Mitigation Measures

No mitigation is necessary.

4.20.6 Cumulative Impacts

Projects have the potential to be cumulatively considerable, when evaluated in the context of other past, present, or reasonably foreseeable projects that make a cumulative contribution to impacts. Some cumulative development occurring within the at-risk regions of the County would be subject to risk of wildfire hazards. Cumulative projects would, however, also be subject to compliance with the CBC and California Fire Code, as well as regional and local regulations and all proposed construction would be required to meet minimum standards for fire safety. Development occurring within the County would be subject to review by the County to ensure cumulative development is designed to provide a minimum of fire safety and support fire suppression activities. This would include compliance with state and regional fire codes, inclusion of fire sprinklers if required, proper fire hydrant system, paved access, and secondary emergency access routes.

The Project is not located within the VHFHSZ and would not contribute to wildfire risk or an increase in other impacts associated with wildfire hazards including pollution, flooding, and evacuation response times. Because the Project will not have any impacts related to wildfire, it will not contribute to any potential cumulative impact regarding the same. The Project is located in an urbanized area of the County in a predominantly built out commercial/industrial zone. Future projects would be required to meet minimum standards for fire safety and comply with the Fire Code and City regulations.

Additionally, all other past, present, and reasonably foreseeable projects would be required to conform to the same guidelines and also include site-specific measures that would ensure emergency access and evacuation are unimpeded. Further, the Draft EIR for the Countywide Plan found that through compliance with mitigation regulations and policies including CBC Chapter 7A, CFC Chapter 49, and California Public Resources Code Sections 4291 et seq, wildfire impacts of the Plan buildout would not be cumulatively

considerable.¹⁶ Therefore, the Project would not result in incremental effects to wildfire that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects.

Implementation of these plans and policies, in conjunction with compliance with the Fire Code and County standards, would ensure cumulative impacts with respect to wildfire hazards are less than significant.

4.20.7 Significant Unavoidable Impacts

No significant unavoidable impacts concerning wildfire have been identified.

4.20.8 References

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5.0

OTHER CEQA CONSIDERATIONS

5.0 OTHER CEQA CONSIDERATIONS

This section of the Environmental Impact Report (EIR) provides a discussion of additional CEQA impact considerations, including Significant Irreversible Environmental Changes, Growth-Inducing Impacts, and any Mandatory Findings of Significance.

5.1 Significant and Unavoidable Impacts

CEQA Guidelines § 15162(b) requires an EIR to discuss the significant environmental effects of a proposed project that cannot be avoided if the proposed project is implemented, including those which can be mitigated, but not reduced to a less-than-significant level. These impacts are referred to as “significant and unavoidable impacts” of the project. More information on these impacts and applicable mitigation measures is found in **Sections 4.3: Air Quality, 4.6: Energy, 4.8: Greenhouse Gas Emissions, and 4.13: Noise** of this Draft EIR.

5.2 Significant and Irreversible Environmental Changes

CEQA Guidelines § 15126.2(d) requires a discussion of any significant irreversible environmental changes that would be caused by a proposed project. Generally, the section states that a project would result in significant irreversible environmental changes if the following occurs:

- The project would involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely;
- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

The project would involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely.

The Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project) would consume limited, slowly renewable, and non-renewable resources. Construction of the Project site would result in the direct consumption of resources, and this would occur during the construction phase and would continue throughout its operational lifetime. Development of the Project site would require a commitment of resources that would include: (1) building materials; (2) fuel and operational materials/resources; and (3) the transportation of goods and persons to and from individual development sites. Nonrenewable resources associated with the development of the Project would include fossil fuels. Fossil fuels would serve as energy sources during both Project construction and operations. Fossil fuels would be used by construction vehicles and heavy equipment during the construction period and by vehicles and equipment used during Project operations. Though the Project would endeavor to utilize fossil fuels efficiently, their use would be vital for construction and operations activities, making their nonuse unlikely. However, the Project would not require the continued use of fossil fuels at the end of its operational life.

By nature, fossil fuel consumption cannot be replaced once used. However, fossil fuels would not be stored on the Project site in such a way that they could not be removed at the end of the Project's life. Some construction and operational equipment such as forklifts may be electrified and therefore not rely on fossil fuels. Other vehicles and equipment used by the Project in both construction and operational phases would utilize fossil fuels.

The Project would also require the commitment of land on which the Project would be developed for industrial use. The Project site has been entirely disturbed and developed with the Auto Club Speedway (ACS), surface parking lots, driveways, power poles, and accessory buildings and structures. The western portion of the Project site contains drainage culverts into the San Sevaine channel. Power poles traverse the northern portion of the Project site in an east-west direction.

Following development, the land would be occupied by high-cube logistics/e-commerce facilities, parking fields/drop lots, and ancillary commercial uses. These structures and improvements would be able to be removed at the end of the Project's life. None of the proposed improvements are incapable of removal or nonuse after the end of the Project. The Project entitlements include the SCCIISP, a Development Agreement, and a Tentative Parcel Map which would consolidate the existing parcels present on the Project site into a total of 28 new parcels. Additionally, a revision to an approved action would also be required to amend the existing planned development permit for the ACS to remove from its coverage approximately 433 acres of the ACS site that will be governed by the new SCCIISP. The SCCIISP would include the development plan identifying the land uses, site access and rail transit connections, circulation, drainage, water, sewer, and public facilities and services, as well as development standards and permitted land uses for the planning areas within the SCCIISP.

The primary and secondary impacts would generally commit future generations to similar uses.

Impacts associated with the Project are largely less than significant with mitigation applied. The majority of identified impacts were anticipated to create a less than significant impact or no impact. The Project's potential impacts, though, would not commit future generations to similar uses. The Project would not involve heavy industrial uses that would leave the area unfit for human occupation or for redevelopment. The Project does not propose uses beyond high-cube logistics/e-commerce facilities, parking fields/drop lots, and ancillary commercial uses. No earthwork activities are proposed beyond the construction of the Project. The land on which the Project would be constructed would be graded and developed for large-scale buildings. However, the development activities would not affect the land in such a way that other structures could not be developed there in the future.

Hazardous waste usage would be minimal; mostly used for cleaning and operational maintenance. Compliance with federal, state, and local regulations would ensure that the usage and storage of any hazardous materials and waste would be completed in the safest and most efficient manner. Similarly, the proposed Project would comply with any federal, state, and local air quality and water quality regulations to further ensure the least amount of environmental impact. The high-cube logistics/e-commerce facilities, parking fields/drop lots, and ancillary commercial uses, nature of the Project is unlikely to lead to impacts that would relegate future generations and developments to similar uses.

The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project.

The Project is intended to develop high-cube logistics/e-commerce facilities, parking fields/drop lots, and ancillary commercial uses and is not anticipated to release hazardous materials into the environment. The operations of the facility would involve the use of limited hazardous materials and substances; notably cleaners, paints, solvents, fertilizers, and pesticides. The Project would also comply with any relevant environmental policy regarding the storage and disposal of hazardous materials. Through this compliance the Project would minimize the potential for any environmental impacts due to accidental discharges. A mitigation measure has also been proposed to further prepare for potential discovery of hazardous materials on-site during construction in the form of a Soil Management Plan. With the addition of mitigation and compliance with federal, state, and regional regulations and laws, the Project is not expected to produce accidents that would pose an irreversible risk to the surrounding environment.

The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

The Project would comply with any applicable federal, state, and local regulation and law regarding the use of resources during both construction and operations. The resources consumed by the Project would also include water, electricity, fossil fuels, and potentially natural gas. See EIR **Section 4.6: Energy**. The estimated energy and natural gas usage rates are based on averages provided by the California Emissions Estimator Model (CalEEMod). The Project was determined to have a significant and unavoidable impact in the form of fuel consumption, due to the five percent increase in diesel fuel use within the County. The estimated water demand for the Project was calculated using average estimates for similar uses according to the water provider, Fontana Water Company. See EIR **Section 4.19: Utilities and Service Systems**. The Project was also determined to produce a less than significant impact to public services such as police and fire protection. See EIR **Section 4.15: Public Services**.

5.3 Growth-Inducing Impacts

CEQA Guidelines § 15126.2(e) requires that EIRs include a discussion of ways in which a proposed project could induce growth. The CEQA Guidelines identify a project as “growth-inducing” if it fosters economic or population growth or if it encourages the construction of additional housing either directly or indirectly in the surrounding environment. New employees from commercial or industrial development and new population from residential development represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. The Project would therefore have a growth-inducing impact if it would:

- Directly or indirectly foster economic or population growth, or the construction of additional housing;
- Remove obstacles to population growth;
- Require the construction of new or expanded facilities that could cause significant environmental effects; or

- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

A project's potential to induce growth does not automatically result in growth. Growth can only happen through capital investment in new economic opportunities by the private or public sectors. Under CEQA, the potential for growth inducement is not considered necessarily detrimental nor necessarily beneficial, and neither is it automatically considered to be of little significance to the environment. This issue is presented to provide additional information on ways in which the Project could contribute to significant changes in the environment, beyond the direct consequences of implementing the Project examined in the preceding sections of this Draft EIR.

Potential growth-inducing effects are examined through analysis of the following questions:

Would the project directly or indirectly foster economic or population growth, or the construction of additional housing?

Economic Growth

The Project would directly and indirectly create economic growth within the County, but on a County-wide scale the growth would not be considered significant. Additionally, the Project site may cause some direct economic growth due to the ancillary commercial uses and an indirect economic growth due to its development. While the Project site would generate revenue to the County through taxes on its revenue, comparative to the County overall it is a relatively minor increase. Construction of the Project site would generate employment consistent with other similar construction activities, and only temporarily until construction activities are complete. Most construction workers would be anticipated to come from within the County or from the nearby region, which already has a population of substantial size to supply the needed workers.

Population and Employment

Population and employment information is provided in **Section 4.14: Population and Housing**. The Project is anticipated to generate approximately 3,127 employees as a result of implementation. Because this is less than the number of unemployed persons within the County, the Project would not necessarily spur a boost in population since the employees could be found within the County's existing unemployment numbers. The Project, at the time of its implementation, would likely only have an indirect effect on the County's population through the expansion of economic activity within the County.

Housing

The Project would be developed on a site that has been previously disturbed and developed with commercial/entertainment infrastructure and no residential units. Due to the exclusively commercial/entertainment land uses present on the Project site, the redevelopments proposed as a part of the Project would be unlikely to initiate the displacement of people or housing or necessitate the development of housing elsewhere. While the Project could generate short term changes in employment during construction activities and long term operational jobs that would be created with the new high-cube logistics/e-commerce facilities, parking fields/drop lots, and ancillary commercial uses, these

changes would not further effect the County's population in a manner that would generate a need for additional housing.

Would the project remove obstacles to population growth?

The Project site is currently disturbed and developed by the ACS and accessory buildings, structures, and infrastructure. The existing parcels are zoned as Special Development-Commercial zones. Title 8 of the County Municipal Code (SBCMC) contains the County's Development Code which outlines the allowed uses of each zoning district. Specifically, SBCMC §82.01.020 defines Special Development zones as areas which allow for a combination of residential, commercial, industrial, agricultural, open space and recreation uses, and similar and compatible uses. The SCCIISP would allow for the development of high-cube logistics/e-commerce facilities, parking fields/drop lots, and ancillary commercial uses; no residential uses are proposed. Additionally, as noted in **Section 4.11: Land Use and Planning** the Project site does not include existing residential structures and is not currently zoned primarily for residential use. As the Project does not have any existing or proposed residential land uses and the current and proposed zoning designations do not allow for the development of residential land uses, obstacles to population growth would remain in place and unchanged as a result of Project implementation.

Would the project require the construction of new or expanded facilities that could cause significant environmental effects?

The Project site has been previously disturbed in its entirety by the Auto Club Speedway. Utility and infrastructure improvements are present within and adjacent to the Project site. The Project would include new infrastructure improvements to allow for the use of resources such as electricity and water, and potentially natural gas. The environmental impacts associated with the facility improvements associated with the proposed Project have been analyzed in **Section 4.1: Aesthetics** through **Section 4.20: Wildfire** of this EIR. Some significant and unavoidable impacts have been identified in these sections; however, these impacts were not associated with the construction or operation of new or expanded facilities that may be required for the Project. Further, the Project would not require the expansion of utility facilities such as water treatment plants or landfills. Adequate capacity was concluded for each of those facilities.

Would the Project encourage or facilitate other activities that could significantly affect the environment, either individually or cumulatively?

Refer to **Section 4.1** through **Section 4.20** of this EIR.

5.4 Mandatory Significance of Findings

CEQA Guidelines § 15065(a)(1)-(4) requires preparation of an EIR when certain specified impacts may result from construction or implementation of a project. The EIR concludes a finding of significance if the project:

Has the potential to: substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory.

A finding of significance is determined if a project “has the potential to substantially degrade the quality of the environment.” In practice, this is the same standard as a significant effect on the environment, which is defined in CEQA Guidelines § 15382 as “a substantial or potentially adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.”

An EIR has been prepared for the Project, which fully addresses all of the Mandatory Findings of Significance.

This EIR in its entirety addresses and discloses all known potential environmental effects associated with the development of the Project including direct, indirect, and cumulative impacts in the following resource areas:

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

A summary of all potential environmental impacts, level of significance and mitigation measures is provided in **Section 1.0: Executive Summary**.

Endemic and endangered animals within California and the Project’s potential effect on those species are fully discussed in **Section 4.4: Biological Resources** of this EIR. The section found that the Project site had a low capability to harbor special status plants. The only special-status wildlife species observed during the field investigation was the great egret, which does not have any formal status. It is not anticipated that the great egret or any other special-status wildlife species that may be found on-site would be significantly impacted due to Project implementation. Nevertheless, mitigation was proposed in the section to further reduce the risk to special status species.

Section 4.5: Cultural Resources and **Section 4.18: Tribal Cultural Resources** of the EIR analyzed the potential historic and prehistoric resource impacts that could occur due to the implementation of the Project and found no recorded historic or prehistoric resources in the Project site. Further, mitigation proposed within the section provides guidance in the event that unexpected archaeological, historical, or tribal cultural resources are discovered on-site during construction to further minimize potential effects to the County's historical and prehistorical resources, in the unlikely event that cultural or paleontological resources are exposed during construction of the Project. The mitigation presented in the section further mitigated the significance of the potential impacts to less than significant levels.

The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

The Project would occupy an area that is currently completely developed and occupied. This would assist with the 13 objectives identified for the Project in **Section 3.0: Project Description** that include but is not limited to developing a logistics center in close proximity to major transportation arterials, siting clean industry, and establishing guidelines for energy efficiency that promote energy conservation. The Project area is in an area of the County designated for Special Development-Commercial uses. As a warehousing project proposed at a scale that is considered regionally significant according to CEQA Guidelines § 15206(b), the SCCIISP and the uses incorporated in the Project would align with the intended uses for the Project site.

Section 5.2: Significant and Irreversible Environmental Changes, of this document addresses the short-term and irretrievable commitment of natural resources to ensure that the consumption is justified on a long-term basis. Lastly, **Section 5.3: Growth-Inducing Impacts** identifies any long-term environmental impacts associated with economic and population growth that are associated with the Project.

The project has possible environmental effects that are individually limited but cumulatively considerable.

CEQA Guidelines § 15065(a)(3) defines "cumulatively considerable" to mean that "the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." This EIR provides a cumulative impact analysis only for all thresholds that result in a less than significant impact, a potentially significant impact unless mitigated, or a significant and unavoidable impact. Cumulative impacts are addressed for each of the environmental topics listed above and are provided in **Sections 4.1** through **4.20** of this EIR.

The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

As required by CEQA Guidelines § 15065(a)(4), "A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: the environmental effects of a project will cause substantial adverse effects on human beings, either

directly or indirectly.” Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This standard relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could directly or indirectly affect human beings would be possible in all of the CEQA issue areas previously listed, those that could directly affect human beings include aesthetics, air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, land use and planning, public services and utilities, transportation, water resources, wildfire hazards, and climate change, all of which are addressed in the appropriate sections of this EIR; refer to **Table of Contents** for specific section numbers. The Project has the potential to create impacts that could cause adverse effects on human beings. The majority of these effects are created during the construction phase of the Project and would be temporary in nature and would mostly occur over the relatively short-term construction phase. Direct impacts to humans during the construction phase as well as effects associated with operation of the Project site would be less than significant or would be mitigated to less than significant levels. Mitigation measures created for the potential impacts of the Project are detailed in **Sections 4.1** through **4.20** of this EIR. Similarly, most operational impacts foreseen for the Project would be mitigated to a level of less than significant. Significant impacts were found in the analysis of the Project after implementation of mitigation, refer to **Sections 4.1** through **4.20**.

6.0

ALTERNATIVES

6.0 ALTERNATIVES

6.1 Introduction

The California Environmental Quality Act (CEQA) requires an Environmental Impact Report (EIR) to “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” (CEQA Guidelines § 15126.6(a)). The CEQA Guidelines require that the EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative must be discussed, but these effects may be discussed in less detail than the significant effects of the project as proposed (CEQA Guidelines § 15126.6(d)). The EIR is not required to consider every conceivable alternative to a project but is guided by a rule of reason. An EIR is also not required to consider alternatives which are infeasible. CEQA Guidelines § 15126.6(d) states that the EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. Key provisions of the State CEQA Guidelines on alternatives (CEQA Guidelines § 15126.6(a) through (f)) are summarized below to explain the foundation and legal requirements for the alternative’s analysis in this Draft EIR.

- “The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly” (§ 15126.6(b)).
- “The specific alternative of ‘no project’ shall also be evaluated along with its impact” (§ 15126.6(e)). “The no project analysis shall discuss the existing conditions at the time the Notice of Preparation (NOP) is published or if no NOP is published, at the time the environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives” (§ 15126.6(e)(2)).
- “The range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project” (§ 15126.6(f)).
- “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 (or the site is already owned by the proponent)” (§ 15126.6(f)(1)).

- For alternative locations, “only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR” (§ 15126.6(f)(2)(A)).
- “An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative” (§ 15126.6(f)(3)).

6.2 Range of Alternatives

The lead agency is responsible for selecting this range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. This section describes four alternatives to the Project. These alternatives include the No Project/No Build Alternative, Reduced Footprint Alternative, and the Commercial Project Alternative. The three alternatives are discussed in more detail below. A fourth alternative, the Alternative Site Alternative, was considered but rejected; see **Section 6.6** below.

Alternatives were developed based on the following: information provided by the Project Applicant and input received from comments on the NOP. Among the factors that may be taken into account when addressing the feasibility of alternatives, as described in § 15126.6(f)(1) of the CEQA Guidelines, are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, regulatory limitations, jurisdictional boundaries, and whether the Project proponent could reasonably acquire, control, or otherwise have access to an alternative site.

As discussed above, one of the main purposes of the range of alternatives is to discuss different projects that are capable of avoiding or substantially lessening significant effects, especially effects that are found to be significant and unavoidable. In the case of the Project, as discussed throughout **Section 4.0, Environmental Impacts Analysis**, there are unavoidable significant impacts associated with air quality, energy, greenhouse gas (GHG) emissions, and noise.

The CEQA Guidelines do not require an EIR to consider every plausible alternative to a project, but rather must examine in detail only the ones which the lead agency determines could feasibly attain most of the basic project objectives. An EIR also does not need to consider alternatives whose effects cannot be reasonably ascertained and whose implementation is remote and speculative. Feasibility factors include site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether project proponents can reasonably acquire, control, or otherwise have access to an alternative site. If the lead agency determines no alternative projects or locations are feasible, it must disclose the reasons for this conclusion in the EIR (CEQA Guidelines § 15126.6). The alternatives that were selected for additional consideration were chosen in accordance with the above-listed CEQA Guidelines, represent a reasonable range of alternatives and will encourage discussion in a manner to foster meaningful public participation and informed decision making.

6.3 Project Objectives

The Project implements the goals and policies of the County’s Countywide Plan; the Speedway Commerce Center II Specific Plan Project (SCCIISP) serves as an extension of this Plan; and, can be used as both a policy and a regulatory document. The purpose of this Project is to implement the vision laid out in the

Project objectives by providing development standards, and design guidelines to direct future development within the Project site.

The Project would increase the County's production capacity and further fortify the economic base of the County. The Project would also revitalize a portion of the County with new industry and production. The Project would be developed to accomplish the following objectives:

- Objective 1:** Maximize the efficient movement of goods throughout the region by locating a large format high-cube logistics and e-commerce center in close proximity to the Ports of Los Angeles and Long Beach, enabling trucks servicing the site to achieve a minimum of two round trips per day.
- Objective 2:** Develop and operate a large format high-cube logistics and e-commerce center that maximizes the use of one of the few remaining large industrial sites in Southwestern San Bernardino County, to realize substantial unmet demand in Southwestern San Bernardino County and the region, and to allow Southwestern San Bernardino County to compete on a domestic and international scale through the efficient and cost-effective movement of goods.
- Objective 3:** Provide a land use plan that is sensitive to the environment through avoidance of sensitive resources, aesthetically pleasing through application of design guidelines, and places compatible land uses and facilities in an appropriate location.
- Objective 4:** Develop a high-cube logistics and e-commerce center that is in close proximity to Interstate I-10 and other major transportation arterials, to support the distribution of goods throughout the region and that also limits truck traffic disruption to sensitive receptors within the surrounding region.
- Objective 5:** Provide a system of infrastructure that includes public and private transportation, sewer, water, drainage, solid waste disposal, and other essential facilities to serve the needs of the Project.
- Objective 6:** Facilitate the continued operation of the existing speedway uses at the Next Gen motorsports facility through provision of ongoing parking fields and drop-lot areas for designated event days.
- Objective 7:** Develop and operate an attractive large format high-cube logistics and e-commerce center in Southwestern San Bernardino County that meets industry standards for operational design criteria that will attract quality tenants and that will be competitive with other similar facilities in the region.
- Objective 8:** Develop a location for siting clean industry involving large scale buildings and impervious parking fields on a heavy industrial site that was once a steel mill.
- Objective 9:** Facilitate the establishment of design guidelines and development standards that create a unique, well-defined identity for the proposed Project. Enhance Project identity through architecture, landscaping, walls, fencing, signage and entry treatments.

- Objective 10:** Develop and operate a large format high-cube logistics and e-commerce center that limit truck traffic disruption to residential areas within Southwestern San Bernardino County and neighboring jurisdictions.
- Objective 11:** Develop and operate a high-cube logistics and e-commerce center that positively contribute to the economy of Southwestern San Bernardino County through new capital investment, creation of new employment opportunities, including opportunities for highly-trained workers and expansion of a stable and diverse economic fiscal opportunity to increase the tax base.
- Objective 12:** Develop and operate employee-intensive facilities that can take advantage of the potential further expansion of transit facilities for efficient employee transportation.
- Objective 13:** Establish guidelines for energy efficiency that promote the conservation of energy resources in the construction and operation of the proposed high-cube large format logistics and e-commerce center use.

6.4 Significant and Unavoidable Project Impacts

Impacts found significant and unavoidable are relevant in making the final determination of whether an alternative is environmentally superior or inferior to the proposed Project; see CEQA Guidelines § 15126.6. As concluded in **Section 4.1** through **Section 4.20** of this EIR, the Project would result in significant and unavoidable air quality, energy, GHG emissions, and noise impacts.

6.5 Criteria for Selecting Alternatives

Per § 15126.6(b) of the CEQA Guidelines, the discussion of alternatives shall focus on alternatives to a project, or its location that are capable of avoiding or substantially lessening significant impacts of a project, even if the alternatives would impede to some degree the attainment of the project objectives or would be more costly. This alternatives analysis therefore focuses on project alternatives that could avoid or substantially lessen environmental impacts of the Project related to the environmental categories listed in Appendix G of the CEQA Guidelines.

Comments received during the NOP process included issues related to the potential impacts to air quality and public health; aesthetics; noise generation; demand of truck parking/trailer storage; traffic circulation and street connections; vehicle miles traveled; operational impacts to utilities and related services; public safety; cumulative projects; feasibility/constructability of mitigation measures; water supply; accommodation of alternative forms of transportation; water conservation; tribal consultation; and storm drainage and floodplain impacts. While all of these considerations are addressed throughout this DEIR and in the respective sections, they also were considered to develop the reasonable range of alternatives and to address the concerns. The alternatives listed below, specifically those that are evaluated, represent a reasonable range, and at least partially fulfill the Project objectives the County is seeking and/or alleviate some of the potential impacts that would occur upon implementation of the Project as proposed.

The discussion in this EIR focuses on three alternatives:

1. No Project/No Build Alternative

2. Reduced Footprint Alternative
3. Commercial Project Alternative

Based on criteria described above, three alternatives, including the No Project/No Build Alternative, were carried forward. These alternatives are described in **Section 6.8: Comparison of Project Alternatives**. The following subsection (**Section 6.6: Alternatives Considered but Rejected**), describes the Alternative Sites Alternative that was considered, but rejected, and provides reasoning for not carrying this Alternative forward for evaluation in this EIR.

6.6 Alternatives Considered but Rejected

CEQA Guidelines § 15126.6(c) states that an EIR should identify any alternatives that were considered by the lead agency but rejected because the alternative would be infeasible, fail to meet most of the basic project objectives, or unable to avoid significant environmental impacts. Further, an EIR may consider an alternative location for the proposed project but is only required to do so if significant project effects would be avoided or substantially lessened by moving the project to another site and if the project proponent can reasonably acquire, control, or otherwise have access to the alternative site.

Alternative Site Alternative

CEQA Guidelines § 15126.6(f)(2)(A) notes the following concerning alternative project locations:

- The key question and first step in (alternative location) 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 be considered for inclusion in the EIR.
- CEQA Guidelines § 15126.6(f) requires consideration of an Alternative Site that the Project Applicant would be reasonably able to acquire, control, or gain access to develop. The CEQA Guidelines section also posits that the alternative location chosen should substantially reduce or avoid potential environmental impacts. In the case of the proposed Project, an alternative site is not considered applicable or feasible, as the Project Applicant does not control other undeveloped property of similar size within the County or in the immediate area. Additionally, there are minimal remaining developable sites in the urban portions of the County that are approximately commensurate in size to the Project. Further, an alternative site in a comparable location would not be likely to substantially reduce any potential impact created by Project implementation. For the above reasons, the Alternative Site Alternative was rejected from further consideration and is not discussed further.

6.7 Alternatives to the Project Selected for Analysis

The three analyzed alternatives present a reasonable range of alternatives to the Project. The analysis in this section focuses on significant and unavoidable impacts attributable to each Alternative and the ability of each Alternative to meet basic Project objectives.

Alternative 1: No Project/No Build Alternative

The No Project/No Build Alternative allows decision-makers the ability to compare the impacts of approving the Project with impacts of not approving the Project by leaving the Project site in its existing condition with the existing development. No development would occur under this alternative.

Alternative 2: Reduced Footprint Alternative

The Reduced Footprint Alternative focuses on redesigning the Project to reduce the building area by 25 percent.

Alternative 3: Commercial Project Alternative

The Commercial Project Alternative replaces the high-cube logistics/e-commerce uses with commercial uses.

6.8 Comparison of Project Alternatives

Pursuant to CEQA Guidelines § 15126.6(d), additional significant effects of the alternatives are discussed in less detail than the significant effects of the Project as proposed. The analyses below describes each alternative, analyzes the impacts of the alternative as compared to the Project, identifies significant impacts of the Project that would be avoided or lessened by the alternative, assesses the alternative's ability to meet most of the Project objectives, and evaluates the comparative merits of the alternative and the Project.

The following sections provide a comparison of the environmental impacts associated with each of the Project alternatives, as well as an evaluation of each Project alternative's ability to meet the Project objectives.

Alternative 1: No Project /No Build Alternative

Consistent with CEQA Guidelines § 15126.6(e), the No Project/No Build Alternative assumes that the existing land uses and condition of the Project site at the time the NOP was published (December 13, 2021) would continue to exist without the Project and no development would occur. The setting of the Project site at the time the NOP was published is described as part of the existing conditions throughout Section 4 of this DEIR with respect to individual environmental issues and forms the baseline of the impact assessment of the Project. The No Project/No Build Alternative assumes that the Project would not be developed, which means there would be no high-cube logistics and e-commerce or ancillary commercial facilities, landscape improvements, or surface lot improvements developed on the Project site or sidewalks, trail, or street construction onsite. In its existing condition, the site would remain developed and disturbed with existing surface parking lots, motorcycle track, drag strip, and go-kart track.

Alternative 1 Impact Comparison to the Project

An evaluation of the potential environmental impacts of the No Project/No Build Alternative compared to the Project is provided below.

Aesthetics

Under the No Project/No Build Alternative, the site would continue to operate with the existing ACS facility that is located on-site. With the No Project/No Build Alternative, no visual changes to the site as seen from off-site viewers including residents to the east and north or motorists around the site would occur due to the new development, as compared to the existing development on the property that currently exists. It is anticipated that the Project would result in an increase in nighttime lighting from security lights and parking lot lighting which is expected to be more than the existing on-site surface parking lots because of the increased need associated with the new high-cube logistics/e-commerce and ancillary commercial uses. Therefore, under this Alternative, impacts regarding aesthetics, light, and glare would be reduced when compared to the Project.

Agriculture and Forestry Resources

The Project would result in no impacts to Agriculture and Forestry Resources. Under the No Project/No Build Alternative, the site would continue to operate with the existing ACS facility. The No Project/No Build Alternative would be environmentally equivalent to the Project regarding Agriculture and Forestry Resources.

Air Quality

Short-term air quality impacts from grading and construction activities associated with the Project would not occur with the No Project/No Build Alternative, as no land uses would be disturbed, and the Project's high-cube logistics/e-commerce and ancillary commercial uses and associated streets, parking, and landscaping would not be constructed. The Project's construction-related emissions, which would be significant and unavoidable, would be avoided.

Operational emissions from the Project would be associated with area sources, energy sources, mobile sources (i.e., motor vehicle use), off-road emissions, and transport refrigeration units (TRUs). Operational emissions associated with this Project would be significant and unavoidable. Operational impacts associated with the existing use (continued use of the ACS facilities on site), would remain due to mobile sources (i.e., motor vehicle use). However, operational emissions of the existing use would be less than that of the Project.

Therefore, the No Project/No Build Alternative would result in reduced air quality impacts as compared to the Project.

Biological Resources

The Project would result in less than significant environmental impacts to special-status species, riparian habitats, and jurisdictional waters with mitigation measures implemented. The Project would have no impact on wetlands or wildlife movement/migration. Under this Alternative, none of the Project's impacts would occur, and no habitat modification or tree removal would occur. The No Project/No Build Alternative would result in no change to existing conditions to biological resources when compared to the Project, as no habitat, or plant or wildlife species would be impacted.

Cultural Resources

The Project would result in no impacts to historical resources and less than significant impacts to as-yet undiscovered archaeological resources, with mitigation incorporated. Under this Alternative, these potential Project impacts would be avoided, as no ground disturbing activities would occur. This Alternative would also avoid the Project's potential for disturbing human remains, which would be less than significant through compliance with the established regulatory framework as outlined in **Mitigation Measure (MM) CUL-2**.

The No Project/No Build Alternative would result in reduced impacts to cultural resources as no change would occur to existing conditions, as compared to the Project. There would be no potential for impacting resources since no ground disturbing activities would occur.

Energy

The energy consumption associated with Project construction which includes electricity use associated with water utilized for dust control, diesel fuel from on-road hauling trips, vendor trips, and off-road construction diesel equipment, as well as gasoline fuel from on-road worker commute trips would not occur with this Alternative, since the Project would not be constructed. Project construction impacts, which would be significant and unavoidable, would not occur.

Under this Alternative, energy use associated with operations of the existing uses on-site would continue. However, when compared to the Project, this Alternative would consume far less energy for operational use.

The No Project/No Build Alternative would result in reduced energy impacts as compared to the Project, as no increase in long-term energy consumption associated with the Project would occur.

Geology and Soils

The soil erosion or loss of topsoil from grading and excavation operations that would occur with the Project would not occur with this Alternative, since the Project would not be constructed. This Alternative would avoid the impacts associated with the Project, which would be less than significant with mitigation incorporated.

Continuation of the existing uses at the Project site would intermittently expose users to seismic, geologic, and soils hazards, similar to what would occur under the Project. Since no Project improvements would be constructed under the No Project/No Build Alternative, this Alternative would avoid the Project's potential for unique paleontological or geologic resources to be impacted from ground disturbing activities, which would be less than significant with mitigation incorporated.

The No Project/No Build Alternative would result in reduced geological, soils, and paleontological resources impacts, as no change would occur to existing conditions, as compared to the Project.

Greenhouse Gas Emissions

Under the No Project/No Build Alternative, GHG emissions would not increase as would occur under the Project. Emissions resulting from short-term construction and long-term operations would not occur under this Alternative. Although operation of the site would continue with the existing facilities on-site and would include automobile trips and other operational activities that would generate GHGs; however, development of the Project would generate a far greater number of daily and peak trips and construction emissions that would make a greater contribution to GHG emissions. The Project's significant and unavoidable GHG emissions impacts would be eliminated under this Alternative because the high-cube logistics/e-commerce and ancillary commercial buildings would not be constructed. Therefore, the No Project/No Build Alternative would result in reduced GHG emissions as compared to the Project since no increase in GHG emissions would occur.

Hazards and Hazardous Materials

Hazardous and hazardous materials impacts of the Project including: (1) increased safety risk to workers due to the transport, handling, and disposal of hazardous materials and waste; (2) foreseeable or accidental release of hazardous materials; (3) emissions of hazardous emissions to nearby schools; (4) location on Cortese List of known hazardous material sites; and (5) location near a nearby airport, are all capable of being mitigated to a less than significant level.

Under this Alternative, all of these impacts would be avoided since short-term construction and long-term operations associated with the Project would not be implemented. No high-cube logistics/e-commerce or ancillary commercial facilities, landscape improvements, and other associated on-site and off-site improvements would occur, which would eliminate the potential for the Project to result in any release of hazardous materials off-site. However, under this Alternative, operation of the site for the existing ACS facility uses would continue and there is a continued potential for the release of hazardous materials associated with these uses. The No Project/No Build Alternative would result in reduced impacts related to hazards and hazardous materials as compared to the Project, since no ground disturbing activities would occur, and no new buildings or structures would be constructed or operated.

Hydrology and Water Quality

The No Project/No Build Alternative would not result in short-term impacts to water quality, since no grading, excavation, or construction activities would occur. The less than significant short-term water quality impacts that would occur with the Project would be avoided with this Alternative.

The No Project/No Build Alternative would not substantially change the hydrologic conditions, compared to development of the site with high-cube logistics/e-commerce and ancillary commercial facilities. Project implementation would increase the rate and amount of stormwater runoff, and effects on water quality, by increasing impervious surfaces and land uses. The Project's potential long-term hydrology and water quality impacts, which were concluded to be less than significant, would be avoided with this Alternative.

The Project's impacts concerning groundwater supplies would be less than significant, although Project implementation would increase demands on groundwater resources through the addition of proposed

land uses. This Alternative would leave the Project area with permeable surfaces which would facilitate more groundwater infiltration. Under the No Project/No Build Alternative, no impact would occur to groundwater supplies, as no land uses would be added, and Project impacts concerning groundwater supplies would be avoided.

The No Project/No Build Alternative would result in reduced impacts to hydrology and water quality as compared to the Project, since no increase in stormwater capacity would occur, impervious surfaces would not increase, and land uses would not be added.

Land Use and Planning

Under this Alternative, the Project site would remain in its current condition, and as such, no high-cube logistics/e-commerce and ancillary commercial facilities and associated Project components would be developed. In addition, there would be no need for the County to issue the land use approvals requested by the Project. Land use and planning impacts under the Project would be less than significant without the need for mitigation.

This Alternative would result in reduced impacts to land use and planning as compared to the Project.

Mineral Resources

Under the No Project/No Build Alternative, potential short-term impacts to Mineral Resources would be eliminated since there would be no grading, excavation, or construction activities associated with the Project. The Project site is currently disturbed with existing motorsports, commercial, and entertainment uses, and the site is located within an urbanized commercial, industrial, and residential area. These uses would continue with this Alternative. No aggregate recovery is practiced in the area. Therefore, this Alternative would have no impact and be environmentally equivalent to the Project regarding Mineral Resources.

Noise

The Project's construction-related noise impacts would be less than significant. The Project's construction-related vibration impacts are also anticipated to be less than significant. The Project's construction-related noise and vibration impacts would not occur with the No Project/No Build Alternative, as no high-cube logistics/e-commerce or ancillary commercial facilities would be constructed. Therefore, the construction-related noise and vibration impacts that would occur with the Project would be avoided with this Alternative.

Implementation of the Project would create new sources of noise in the Project vicinity. The major noise sources associated with the Project include the following: mechanical equipment; truck travel on the Project site; activities at the loading areas; parking areas; and off-site traffic noise. Off-site traffic noise generated by the Project would exceed County standards, and therefore have a significant and unavoidable impact on sensitive receptors. Once operational, the Project would be a source of ground-borne vibration; however, the impact would be less than significant. Noise and vibration impacts associated with the existing use of the ACS facilities would continue, although at a lesser frequency and duration than that of the Project, as the race events do not reoccur on a daily basis. Under the No

Project/No Build Alternative, significant and unavoidable increases due to traffic noise levels would be eliminated since no off-site traffic noise associated with the Project would occur. Therefore, the No Project/No Build Alternative would result in reduced noise and vibration impacts.

Population and Housing

Under this Alternative, the Project would retain the site in its current condition, and as such, no logistics/e-commerce or ancillary commercial facilities and associated Project components would be developed. The site is currently developed with facilities associated with the ACS and surface parking lots and would continue to be used for commercial, entertainment, and motorsports uses consistent with the County's General Plan and Municipal Code. In addition, if the high-cube logistics/e-commerce or ancillary commercial facilities are not constructed on this site, it is likely they would be constructed on another site to fulfill the demand for such a use. This would result in a similar demand for new workers potentially needing housing within the County. Therefore, this Alternative would be environmentally equivalent to the Project regarding population and housing.

Public Services and Recreation

Under the No Project/No Build Alternative, the development of the Project site would not occur. The site is currently developed with ACS supporting facilities and surface parking lots and would continue to be used for commercial, entertainment, and motorsport uses. Although some demand for public services from the existing development would occur, this demand would be less under this Alternative than the Project. There would be a continued demand for public services including fire protection and emergency medical services, law enforcement, and other general governmental services under this Alternative, but to a lesser degree than the Project. Impacts to public services and recreation would be less than significant under the Project, and the Project would pay applicable fees to ensure an adequate level of services. However, this Alternative would result in reduced impacts to public services and recreation as compared to the Project.

Transportation

During Project construction, the Project would generate construction-related traffic. Under this Alternative, since no construction would occur, no temporary construction-related increase in traffic would occur. This Alternative would avoid the Project's construction impacts, which would be less than significant.

While the Project would remove the existing land uses such as surface parking lots and ACS supporting facilities, it would not reduce traffic or trips. Project implementation is anticipated to result in 47,352 daily passenger car equivalent (PCE) trips on a daily basis, with 2,188 PCE trips during the morning peak hour (1,425 inbound and 763 outbound) and 4,114 PCE trips (2,118 inbound and 1,997 outbound) during the evening peak hour. While the existing use generates vehicular trips associated with race events, this occurs at a lesser frequency and duration than would occur under the Project.

Construction of the Project may require off-site circulation improvements to support operations through 2040. Payment of a fair-share contribution toward future improvements may also be required. For

detailed information on off-site circulation improvements, see the Project Traffic Study in **Appendix L**. The No Project/No Build Alternative would not require said roadway improvements or fair share contributions.

The No Project/No Build Alternative would result in reduced transportation impacts as compared to the Project, as no increase in construction and operational trips would occur under this Alternative.

Tribal Cultural Resources

The Project would result in less than significant potential impacts to undiscovered tribal cultural resources, with mitigation incorporated. Under this Alternative, these potential Project impacts would be avoided, as no ground disturbing activities would occur.

The No Project/No Build Alternative would result in reduced impacts to tribal cultural resources as compared to the Project. There would be no potential for impacting tribal cultural resources since no ground disturbing activities would occur.

Utilities and Service Systems

The No Project/No Build Alternative would avoid the Project's temporary increase in demand for utilities and service systems during construction. Project operations would create a demand for water, and increase demand for wastewater conveyance and treatment, electricity and natural gas, and solid waste disposal. This Alternative would eliminate the demand for additional water, wastewater, solid waste disposal, and gas and electricity services. The No Project/No Build Alternative would retain the Project site in its current condition. The site is currently served by utilities and requires water, wastewater, electricity and natural gas, and solid waste disposal services. Those utilities would continue to serve the buildings on site.

The No Project/No Build Alternative would result in reduced impacts to utilities and service systems as compared to the Project, since there would be no increase in demand for water, wastewater, electricity, natural gas, and solid waste disposal services relative to existing conditions and no new utilities or facilities would be needed.

Wildfire

Under this Alternative, the site would be retained in its current condition, and as such, no high-cube logistics/e-commerce or ancillary commercial facilities and associated Project components would be developed. Immediately adjacent to these areas are existing developments including roadways, railways, residential, and industrial areas. According to the CAL FIRE's Fire Hazard Severity Zone (FHSZ) Viewer, the Project is in a Non-Very High Fire Hazard Severity Zone (VHFHSZ)/Local Responsibility Area (LRA) Zone. The Project site is approximately 2.4 miles south of a designated VHFHSZ. The Project would not contribute to wildfire risk or an increase in other impacts associated with wildfire hazards including pollution, flooding, and evacuation response times.

The site is currently developed with facilities supporting the ACS and surface parking lots that would be retained on-site under this Alternative. These structures could be more susceptible to structural fires as

they are not built to current Building Codes or may not include ignition-resistant construction methods and suppression systems.

Neither this Alternative nor the Project would interfere with any emergency plan or evacuation plan. This Alternative also would not exacerbate any existing fire hazards associated with slopes or spreading of wildfire. Lastly, neither the Project nor this Alternative would require construction of any infrastructure that could exacerbate fire hazards. Therefore, this Alternative would be environmentally equivalent to the Project regarding Wildfire.

Ability to Meet Project Objectives

The No Project/No Build Alternative would not meet any of the Project objectives identified above with the exception of partially meeting objective (6) Facilitate the continued operation of the existing Speedway uses at the Next Gen motorsports facility. The No Project/No Build Alternative Fails to meet all other Project objectives such as maximizing the efficient movement of goods throughout the region through developing and operating a large format high-cube logistics and e-commerce center, as the site would remain in its current condition and would not undergo any development.

Alternative 1 Summary

As discussed above, the No Project/No Build Alternative would avoid all potential significant impacts and significant and unavoidable impacts that would occur from Project construction and operation. “No Project,” by definition, assumes that no development would occur and therefore no grading, construction or operational traffic and related impacts such as air quality, energy, GHG emissions, and noise impacts would occur. The lack of significant impacts associated with the No Project/No Build Alternative would be mostly consistent with the conclusions made for the Project, with the exception of air quality, energy, GHG emissions, and noise, for which significant unavoidable impacts would occur under the Project.

This Alternative would fail to improve infrastructure that includes public and private transportation, sewer, water, drainage, solid waste disposal (5) or to maximize the efficient movement of goods throughout the region (1). Further, this Alternative would not maximize the use of one of the few remaining large industrial sites in Southwestern San Bernardino County (2), nor would it develop and operate a large format high-cube logistics and e-commerce center that positively contribute to the economy (11), nor would 261,360 SF of ancillary commercial be developed for the nearby businesses/residents. Lastly, this Alternative would not develop and operate employee-intensive facilities to serve the region (12),

All impact areas which were anticipated to result in a less than significant impact, less than significant with mitigation measures, or a significant and unavoidable impact due to implementation of the Project would be eliminated under the No Project/No Build Alternative.

Alternative 2: Reduced Footprint Alternative

The Reduced Footprint Alternative focuses on redesigning the Project to reduce the building area by 25 percent. The up to approximately 6.6 million square feet of high-cube logistics/e-commerce use that would be constructed under the Project would be reduced by 1,650,000 square feet to 4,950,000 square

feet. The 261,360 square feet of ancillary commercial use would be reduced by 65,340 square feet to 196,020 square feet. Parking fields/drop lots would remain at 98 acres, providing parking for the Auto Club Speedway/future Next Gen in California Project. Open space associated with the water basin and existing storm channel would remain the same at 9.4 acres. Public right-of-way requirements would also remain the same at 33.7 acres.

This Alternative would result in smaller buildings which would be located in the same general location as proposed with the Project, just with a smaller footprint. It is assumed that where building sizes are reduced, the remaining portion of the site would exist as is.

Alternative 2 Impact Comparison to the Project

An evaluation of the potential environmental impacts of the Reduced Footprint Alternative, as compared to those of the Project, is provided below.

Aesthetics

Aesthetic impacts of the Project were determined to be less than significant. Under this Alternative, the site's visual character/quality would be altered similar to the Project, since the existing uses would be removed and replaced with high-cube logistics/e-commerce, ancillary commercial, and parking facilities. With this Alternative, the degree of visual alteration during construction and operations would be slightly less than with the Project, because this Alternative would involve less construction activities to construct smaller buildings within a reduced Project footprint.

This Alternative would reduce the high-cube logistics/e-commerce and ancillary commercial space and parking area by 25 percent; thus, aesthetic impacts from light and glare would be proportionately less under this Alternative compared to the Project. As with the Project, this Alternative would result in less than significant light and glare impacts.

The Reduced Footprint Alternative would result in reduced aesthetics and light/glare impacts as compared to the Project. This Alternative would reduce the Project size by 25 percent; thus, proportionately less light/glare would be generated.

Agriculture and Forestry Resources

The Project would result in no impacts to Agriculture and Forestry Resources. Under this Alternative, the site would be developed with new high-cube logistics/e-commerce and ancillary commercial uses similar to the Project. The Reduced Footprint Alternative would have no impact to agriculture and forestry resources the same as the Project.

Air Quality

This Alternative would reduce the construction and operations air emissions when compared to the Project. Impacts to air quality under the Project for both construction and operation would exceed applicable thresholds for ROG, NOx, CO, and PM10 emissions and even with **MM AQ-1** through **MM AQ-10** applied, impacts would remain significant and unavoidable. Under this Alternative, development would be constructed with a reduced intensity of high-cube logistics/e-commerce and ancillary commercial uses,

which would result in reduced emissions during short-term construction and long-term operations. This is because the overall development footprint would be reduced by 25 percent. This Alternative would create lower concentrations of air contaminants, odor, and particulate matter than the Project. However, even if Project construction and operations emissions are reduced by 25 percent, the following pollutants would still exceed SCAQMD thresholds under the Reduced Footprint Alternative with mitigation:

- Phase 1a Construction: NO_x, PM₁₀
- Phase 2 Construction: NO_x
- Phase 1a Operations: ROG, NO_x, PM₁₀
- Phase 1b Operations: ROG, NO_x
- Phase 2 Operations: NO_x
- Project Buildout: ROG, NO_x, CO, PM₁₀, PM_{2.5}

Therefore, although the Reduced Footprint Alternative would generate a reduction in air pollutants associated with construction and operation the impact would remain significant and unavoidable even with implementation of the Project's mitigation measures, the same as the Project.

Biological Resources

Under this Alternative, impacts to special species, riparian habitats, and nesting birds would occur, but to a lesser degree than the Project. Project impacts to biological resources would be less than significant in consideration of compliance with existing laws, ordinances, regulations and standards, and implementation of proposed **MM BIO-1**. Under this Alternative, modification to the existing basin outlet structure to convert the existing detention basin to an infiltration basin to address and treat for storm water quality would still occur. The modifications to the outlet structure would be contained within the footprint of the existing concrete apron and outlet structure and would not impact areas outside the existing concrete footprint area the same as the Project.

Therefore, the Reduced Footprint Alternative would result in reduced impacts to biological resources as compared to the Project.

Cultural Resources

This Alternative would reduce the high-cube logistics/e-commerce and ancillary commercial space and parking area by 25 percent; thus, creating lesser impacts to Cultural Resources regarding archeological, historic, and human remains. However, like the Project, **MMs CUL-1** and **MMs CUL-2** would still be required because under this Alternative there still would be subsurface ground disturbance. Therefore, **MMs CUL-1** and **TCR-4** pertaining to undiscovered archaeological resource and human remains, would still be required to reduce potential impacts to a less than significant level. Overall, the Reduced Footprint Alternative would result in reduced impacts to Cultural Resources as compared to the Project because less area would be disturbed.

Energy

Energy usage during construction associated with water usage for dust control, diesel fuel consumption from on-road hauling trips and off-road construction diesel equipment, and gasoline consumption from on-road worker commute and vendor trips would result in significant and unavoidable impacts under the Project. Under the Reduced Footprint Alternative there would be a reduction in construction; therefore, there would be an overall reduction in impacts.

This Alternative would result in less than significant impacts concerning energy usage because the annual operation energy expenditure for diesel use would be reduced 25 percent and therefore would not exceed the five percent of the County's annual energy usage. Additionally, the 25 percent reduction would also reduce the installation of 25 percent less solar and/or renewable sources of energy.

The Reduced Footprint Alternative would therefore result in reduced energy impacts and avoid the significant and unavoidable impact that would occur under the Project, as less energy usage would occur under this Alternative as compared to the Project.

Geology and Soils

This Alternative would reduce the high-cube logistics/e-commerce and ancillary commercial space and parking area by 25 percent; thus, reducing soil erosion or loss of topsoil from grading and excavation operations, compared to the Project. The Project is susceptible to seismic, geologic, and soils related hazards. The Project would create new land uses, increasing the exposure of people and structures to potential adverse effects associated with seismic, geologic, or soil hazards. In terms of exacerbating geologic hazards, construction and operation under this Alternative would reduce the risk of seismic hazards including faults and seismicity, liquefaction, subsidence, collapse, expansive soils, landslides, soil stability, or slopes, compared to the Project. This Alternative would result in a greater area being designated as open space, leading to a reduction in potential impacts to geological and paleontological resources. With regard to soil disturbance and erosion, this Alternative would also be required to implement an approved SWPPP and BMPs, similar to the Project, which would ensure impacts remain less than significant. Ultimately, this Alternative would not change the existing geologic conditions under which the site would be developed. Both the Project and this Alternative would be required to implement mitigation measures, such as **MM GEO-1** through **MM GEO-6**, to reduce impacts to less than significant levels.

The Project would result in less than significant potential impacts to paleontological resources, with mitigation incorporated. These potential Project impacts would also occur with the Reduced Footprint Alternative, but to a lesser degree, as site development/redevelopment would result in less ground disturbing activities due to a reduced development footprint. Mitigation measures would still be required under this alternative.

Therefore, the Reduced Footprint Alternative would result in reduced geology and soil, and paleontological resource impacts as compared to the Project.

Greenhouse Gas Emissions

Project-related GHG emissions would be significant and unavoidable despite implementation of Project Design Features (PDFs), Standard Conditions (SCs), GHG Reduction Measures, and **MMs GHG-1** through **MM GHG-5**. Since this Alternative would construct smaller high-cube logistics/e-commerce and ancillary commercial facilities, incrementally less GHG emissions would occur during construction of this Alternative. These high-cube logistics/e-commerce and ancillary commercial uses would continue to generate vehicle trips and corresponding GHG emissions, but during operations, this Alternative would generate proportionately less GHG as the development footprint would be reduced. However, the Project's mitigated GHG emissions would exceed the County's 3,000 MTCO₂e per year review standard, at 207,327 MTCO₂e. Even if the emissions were reduced 25 percent under this Alternative, to 155,495 MTCO₂e, it would still far exceed the County's review standard.

Therefore, the Reduced Footprint Alternative would be environmentally equivalent to the Project regarding the increase of GHG emissions in both construction and operations phases, although there would be a slight reduction in emissions under this Alternative the impact would remain significant and unavoidable GHG to the same as the Project.

Hazards and Hazardous Materials

The Project's potential construction-related impacts involving increased safety risk to workers due to the transport, handling, and disposal of hazardous materials and waste, were considered to be less than significant with **MMs HAZ-1** through **MM HAZ-3** incorporated. Under the Reduced Footprint Alternative impacts would be slightly reduced since less construction would occur, due to the 25 percent reduction. This would result in a greater area being left in its current state, leading to a reduction in potential discovery of hazardous materials and decreased generation of hazards and hazardous materials. The Project's potential construction-related impacts involving demolition of buildings or structures with asbestos or lead-based paint were also considered to be less than significant with **MM HAZ-3** incorporated. Under this Alternative the impacts would be the same and **MMs HAZ-1** through **3** would still be required to reduce the impact to less than significant.

While the operation of the Project site is not anticipated to generate significant impacts, mitigation proposed for the Project's construction phase would be necessary to reduce potential impacts to less than significant levels. The Project's potential operational impacts from transport, handling, and disposal of hazardous materials and waste would be similar with this Alternative, although slightly less due to a reduced development footprint.

The Reduced Footprint Alternative would result in reduced hazards and hazardous materials impacts as compared to the Project, since less construction and operational activities would occur.

Hydrology and Water Quality

The Reduced Footprint Alternative would reduce the total building square footage by 25 percent; however, the area of impervious surfaces would be similar compared to the proposed Project as the area would either be paved or would remain paved as the majority of the site is currently paved and improved. Therefore, this alternative would result in similar runoff and potential for impacts to drainage, erosion,

and water quality. Like the Project, this alternative would introduce new sources of water pollutants from construction and operation activities. Additionally, this alternative would be required to include storm drain facility improvements, LID, source control, site design, a SWPPP, and treatment control BMPs. As with the Project, mitigation measures would not be required to reduce hydrology and water quality impacts to a level of less than significant. Therefore, the Reduced Footprint Alternative would result in lesser impacts to hydrology and water quality.

Land Use and Planning

The Reduced Footprint Alternative assumes similar development as the Project; however, this Alternative would construct smaller high-cube logistics/e-commerce and ancillary commercial facilities. Comparatively, this Alternative proposes approximately 25 percent less overall development. Project impacts were determined to be less than significant.

Same as the Project, this Alternative would also require the same land use approvals by the County. This Alternative would similarly be consistent with the Countywide Plan policies and development code standards.

The Reduced Footprint Alternative would be environmentally equivalent to the Project regarding land use and planning. The same use would occur on the Project site and be similarly consistent with the Countywide Plan policies.

Mineral Resources

No impacts to mineral resources were determined under the Project. Under the Reduced Footprint Alternative, short-term impacts to Mineral Resources due to construction activities would be reduced since there would be less grading and excavation, associated with this Alternative. The Project site is currently disturbed with existing motorsports, commercial, and entertainment uses, and the site is located within an urbanized commercial, industrial, and residential area. No aggregate recovery is practiced in the area. Therefore, this Alternative would be environmentally equivalent to the Project regarding Mineral Resources.

Noise

Construction noise associated with the Project would result in a less-than-significant impact. The Project's construction-related vibration impacts would also be less than significant. Construction-related short-term noise impacts from stationary and mobile sources and vibration impacts would also occur under the Reduced Footprint Alternative, associated with new development. This Alternative's construction-related noise impacts would be 25 percent less than the Project, given that this Alternative involves a smaller development. Due to a smaller development, construction noise impacts under this Alternative would be less than significant, similar to the Project. Once operational, the Project would result in a source of ground-borne vibration; however, the impact would be less than significant. This would be the same under the Reduced Footprint Alternative.

During operation off-site traffic noise generated by the Project would exceed County standards (60 dBA CNEL for residential uses), and would therefore have a significant and unavoidable impact on sensitive

receptors. Opening Year 2024 Plus Phase 1 traffic noise Levels would range between 57.2 dBA CNEL and 73.9 dBA CNEL. Opening Year 2027 Plus Phases 1 & 2 traffic noise levels would range between 57.4 dBA CNEL and 74.3 dBA CNEL. Under Horizon Year 2040 conditions, traffic noise levels would range between 61.8 dBA CNEL and 74.9 dBA CNEL. Under this Alternative there would be a 25 percent reduction in the size of the new facilities. Reducing the maximum noise levels by 25 percent would result in an overall reduction in noise impacts below the County's standard, thereby avoiding the significant unavoidable operational noise impact that would occur under the Project.

The Reduced Footprint Alternative would result in reduced noise impacts compared to the Project.

Population and Housing

The Project site is located in the General Plan Commercial (C) Land Use Category and in the Special Development - Commercial (SD-COM) Zoning Designation and would be comprised of high-cube logistics/e-commerce uses. Under this Alternative, impacts would be less than the Project because this Alternative would include smaller high-cube logistics/e-commerce and ancillary commercial facilities than the Project; therefore, it is anticipated that the demand for employees would be less. It is anticipated that most employees would come from within this unincorporated portion of the County and surrounding areas, and this would result in a similar demand for new workers potentially needing housing within the area. Overall, this Alternative would have slightly reduced impacts to Population and Housing as compared to the Project.

Public Services and Recreation

Project impacts to public services would be less than significant, as the Project is not expected to significantly increase the number of residents in the community or increase demands on public services. The Project would construct up to approximately 6.6 million square feet of high cube logistics/e-commerce uses and approximately 261,360 square feet of ancillary commercial uses with a proportionate increase in population and demands for fire, police, medical, schools, and library services, as well as parks and recreational facilities. The Reduced Footprint Alternative would result in a 25 percent smaller development footprint, resulting in proportionately less demand for these public services and recreational facilities than the Project.

The Reduced Footprint Alternative would result in reduced impacts to public services and recreational facilities as compared to the Project, as smaller high-cube logistics/e-commerce and ancillary commercial facilities and associated supporting structures would be constructed, resulting in less demand for public services and recreational facilities.

Transportation

During Project construction, the Project would generate construction-related traffic resulting in a less than significant impact. Under this Alternative, there would be a reduced amount of construction-related traffic generated because there would be a 25 percent reduction in the size of the Project.

Under this Alternative, operational traffic impacts including VMT and trip generation would be less than the Project due to the smaller Project size and corresponding reduction in vehicle trips. This Alternative

would not introduce any new curves or dangerous roadway segments and all intersections would be appropriately signalized and/or controlled to ensure safe vehicle movements, the same as the Project. Lastly, this Alternative would conform to all design requirements ensuring safe access for emergency responses, fire lanes, and needed radius for turning large vehicles, similar to the Project. Therefore, this Alternative would result in reduced construction and operational transportation impacts, which would be less than significant under the Project with appropriate planning and design.

In sum, the Reduced Footprint Alternative would result in reduced transportation impacts as compared to the Project.

Tribal Cultural Resources

The Project would result in less than significant impacts to as-yet undiscovered tribal cultural resources, with **MMs TCR-1** thru **MM TCR-3** incorporated. Under this Alternative, potential impacts to tribal cultural resources would be reduced when compared to the Project due to the smaller development footprint. However, the same mitigation measures would be required to ensure impacts to any undiscovered TCRs would be less than significant.

Utilities and Service Systems

Project impacts to utilities and service systems would be less than significant in consideration of compliance with existing laws, ordinances, regulations, and standards. Both this Alternative and the Project would result in an increased demand for utilities. Demand for services including natural gas, electricity, water, wastewater treatment, and solid waste disposal would be less than that of the Project. Existing utilities would be extended and upgraded as needed during construction of the Project or this Alternative to serve the anticipated demands and to accommodate operation of each. While the Project and this Alternative would increase the overall demand for services, adequate capacity to serve this Alternative and the Project is anticipated. This Alternative would tie into existing utility lines within the existing roadways and within the existing already disturbed rights-of-way adjacent to the site, similar to the Project. No additional impacts to listed resources, including electricity, natural gas, sewer, water, and telecommunications infrastructure, would occur. Impacts under this Alternative would be reduced as compared to the Project, but would remain less than significant under both this Alternative and the Project.

Wildfire

Under the Reduced Footprint Alternative, development of the Project site would occur similar to the Project, but with a reduced footprint. Project impacts were determined to be no impact. The Project would not contribute to wildfire risk or an increase in other impacts associated with wildfire hazards including pollution, flooding, and evacuation response times. Immediately adjacent to the Project site is existing development including roadways, railways, residential, and industrial areas. According to the CAL FIRE's FHSZ Viewer, the Project is in a Non-VHFHSZ/LRA Zone. The Project site is approximately 2.4 miles south of a designated VHFHSZ.

The Project buildings under this Alternative would be predominantly concrete, the same as the Project, which is not typically susceptible to fire. Specifically, the buildings under this Alternative would be built

consistent with the California Building Code requiring new buildings to use ignition-resistant construction methods and materials as well as have a fire suppression system, the same as the Project.

Neither this Alternative nor the Project would interfere with any emergency plan or evacuation plan. This Alternative also would not exacerbate any existing fire hazards associated with slopes or spreading of wildfire. Lastly, neither the Project nor this Alternative would require construction of any infrastructure that could exacerbate fire hazards. Therefore, this Alternative would be environmentally equivalent to the Project regarding Wildfire and no impacts would occur.

Ability to Meet Project Objectives

The Reduced Footprint Alternative would generally meet the Project objectives, including: (1) Maximize the efficient movement of good through the region; (3) Provide a land use plan that is sensitive to the environment through avoidance of sensitive resources; (4) Develop a high-cube logistics and e-commerce center that is close to Interstate I-10; (5) Provide a system of infrastructure that includes public and private transportation, sewer, water, drainage, solid waste disposal; (6) Facilitate the continued operation of the existing Speedway uses at the Next Gen motorsports facility; (7) Develop and operate an attractive large format high-cube logistics and e-commerce center in Southwestern San Bernardino County; (8) Develop a location for siting clean industry; (9) Facilitate the establishment of design guidelines and development standards; (10) Develop and operate a large format logistics center that limit truck traffic disruption to residential areas; and (13) Establish guidelines for energy efficiency that promote the conservation of energy resources.

However, the Reduced Footprint Alternative would not allow for the level of development of the larger high-cube logistics and e-commerce center and still require the same level of infrastructure costs, and therefore would not meet project objectives. Specifically, this Alternative with smaller buildout of high-cube logistics and e-commerce center would not meet Project objectives including: (2) Develop and operate a large format high-cube logistics and e-commerce center that maximizes the use of one of the few remaining large industrial sites; and would partially meet (11) Develop and operate a large format high-cube logistics and e-commerce center that positively contribute to the economy; and (12) Develop and operate employee-intensive facilities as this Alternative would have a smaller footprint and revenue-generating capacity.

Alternative 2 Summary

Alternative 2 includes a smaller development which would allow for a reduced intensity of use than the Project. This decrease in Project footprint would result in a potential reduction of environmental impacts to the adjacent warehousing, manufacturing, and residential uses of the surrounding area. Following approval of the requested land use entitlements by the County, the land use types contemplated under Alternative 2 would not conflict with the Countywide Plan or Development Code, similar to the Project and there would be a 25 percent reduction in fees to the County. As described above, this Alternative would meet the Project Objectives to a lesser degree than the Project because the Reduced Footprint Alternative would not allow for the same level of development of the larger high-cube logistics and e-commerce facilities and would still require the same level of infrastructure costs; therefore, the Alternative would not fully meet all the project objectives. Specifically, the smaller buildings included

under this Alternative would not meet Project objective 2, which is to develop and operate a large-format, high-cube logistics and e-commerce center that maximizes the use of one of the few remaining large industrial sites. Consistent with objective 11, the Project would need to provide a positive fiscal balance to the County and to the Applicant. The Reduced Footprint Alternative would provide a reduced fiscal return to the County as a result of the smaller buildings, reduced County fees (Development Impact Fees, etc.), and result in a reduction in the number of employees.

Alternative 3: Commercial Project Alternative

The Project site is located in the General Plan Commercial (C) Land Use Category and in the Special Development - Commercial (SD-COM) Zoning Designation. Commercial development under this Alternative would be developed consistent with this land use category and zoning designation. Table 82-17 of Chapter 82.06: Industrial and Special Purpose Land Use Zoning Districts of the County Code of Ordinances identifies allowed land uses and permit requirements. Retail uses permitted (with either a Minor Use Permit, Conditional Use Permit, or Planned Development Permit) include the following:¹

- Auto and vehicle sales and rental
- Bar, tavern
- Building and landscape materials sales - Indoor
- Building and landscape materials sales - Outdoor
- Commercial entertainment-indoor
- Construction and heavy equipment sales and rental
- Convenience store
- Fuel dealer (propane for home and farm use, etc.)
- General retail - 10,000 sf or less, with or without residential unit
- General retail - More than 10,000 sf, with or without residential unit
- Library, museum, art gallery
- Manufactured home or RV sales
- Night Club
- Restaurant, café, coffee shop
- Second-hand stores, pawnshops
- Service station
- Warehouse retail
- Medical, Profession Service and other office uses

Development standards for SD Special Development are provided in Table 82-19B of the County Code of Ordinances. The maximum floor area ratio (FAR) allowed for SD Special Development is 0.5:1. The minimum landscaped area for retail is 20 percent of lot area or 1,000 square feet, whichever is greater (Table 83-12 of County Code of Ordinances). Parking requirements by land use are presented in Code of Ordinances Table 83-15. The number of spaces required varies with use. For this analysis, the requirement for general retail was used: 1 space for each 250 square feet of the gross leasable area (GLA). Table 83-18 provides the minimum off-street parking dimensions. For a space angled at 90 degrees, the dimensions are 9 feet by 19 feet (171 square feet).

¹ San Bernardino County. 2021. *Code of Ordinances*. Table 82.17. https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncity_ca/0-0-0-168058 (accessed April 2022).

Based on the above, this analysis assumes:

- Area of Project site: Approximately 433 acres
- Total floor area: 180.1 acres or 7,845,156 square feet
- Total landscaped area: 86.6 acres or 3,772,296 square feet
- Number of spaces required: 31,381 spaces
- Area of required spaces: 5,366,087 square feet or 123 acres
- Open space/basin: 3.3 acres
- Existing storm channel: 6.1 acres
- Public right-of-way: 33.7 acres

Under this Alternative, the Project site would develop a commercial and light office warehouse/industrial development that would allow general retail and the uses described above. It is anticipated that the commercial buildings would provide more square footage than the Project with a larger lot coverage, but would have lower building elevations, more store front glazing with parking that would be dispersed to accommodate shoppers and visitors.

Alternative 3 Impact Comparison to the Project

An evaluation of the potential environmental impacts of the Commercial Project Alternative, as compared to those of the Project, is provided below.

Aesthetics

Under the Commercial Project Alternative and similar to the Project, the site would be developed with multiple buildings. With this Alternative, visual changes to the site as seen from off-site viewers including residents to the east and north or drivers around the site, would be less intensive than the Project, due to the reduced size of the building height for the Alternative. Commercial buildings typically have lower elevations and are smaller in size, but this Alternative would include more buildings. Total site coverage would be more than the overall site coverage of the project. Light and glare impacts would be increased as there would be more glazing for windows, wall lighting, and wall elevations, as commercial/retail uses generally have more windows than high-cube logistics/e-commerce and industrial buildings. It is anticipated that with this Alternative there would be an increase in nighttime lighting from security lights and parking lot lighting which is expected to be greater than the Project because commercial uses would typically have a higher level of evening activity than industrial uses. Impacts associated with visual changes to the site with regard to building height and architectural/visual elevations would be less than the Project, but site coverage and potential light and glare would be potentially greater than the Project requiring mitigation to reduce impacts associated with light and glare. Therefore, under this Alternative, impacts regarding aesthetics, light, and glare would be environmentally equivalent to the Project.

Agriculture and Forestry Resources

Under this Alternative, the site would be developed with multiple commercial buildings totaling approximately 7.8 million square feet. The entire Project site is categorized as Urban and Built-Up Land

according to the California Important Farmland Finder. This land type would not be conducive as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. The County does not contain areas with land use designations for either Forest Land or Timberland. The Project site is within SD-COM zoned land within the City and there are no agricultural, forest land, or timberland zoning designated resources in this unincorporated portion of the County. Consistent with the Project no mitigation would be required. This Alternative would be environmentally equivalent to the Project regarding Agriculture and Forestry Resources.

Air Quality

Under this Alternative, both short-term construction-related air quality emissions and long-term operational air emissions are anticipated to be greater than the Project due to the increased project square footage and traffic associated with patrons and delivery trucks. The Commercial Project Alternative would be environmentally equivalent to the Project regarding air quality impacts, due to an anticipated increase in both short-term and long-term emissions and similar significant and unavoidable impact. Consistent with the Project, impacts related to both construction and operation would exceed applicable thresholds for ROG, NOx, CO, and PM10 emissions and even with mitigation impacts would remain significant and unavoidable.

Biological Resources

Under this Alternative, the Project site would introduce similar impacts to special bird species, nesting birds, and riparian habitats as the Project. Consistent with the Project, implementation of this Alternative would be required to utilize mitigation measures to reduce all potential impacts to less than significant levels. Therefore, this Alternative would result in the same potential impacts to special-status species, nesting birds, and use of the site as habitat or foraging habitat. Similar to the Project, direct and indirect impacts on biological resources would be mitigated to less than significant under this Alternative.

The Commercial Project Alternative would be environmentally equivalent to the Project regarding biological resources.

Cultural Resources

Under this Alternative, impacts to archeological and historic resources and the potential to disturb human remains would be similar to those of the Project. Similar to the Project, mitigation measures would continue to be required for development under this Alternative. Mitigation measures **MMs CUL-1** and **MM TCR-4** pertaining to undiscovered archaeological resource and human remains, would still be required to reduce potential impacts to a less than significant level.

Therefore, the Commercial Project Alternative would be environmentally equivalent to the Project regarding archeological and historic resources, and human remains.

Energy

Energy usage during construction associated with water usage for dust control, diesel fuel consumption from on-road hauling trips and off-road construction diesel equipment, and gasoline consumption from

on-road worker commute and vendor trips would result in significant and unavoidable impacts under the Project. This Alternative would be similar to the Project.

Due to the projected operational energy consumption, potential energy impacts from the Project are considered significant and unavoidable. Under this Alternative, energy use associated with operations of the 7.8 million square feet of commercial space would likely be greater than the Project, due to the larger project size compared to the Project's up to approximately 6.6 million square feet of high-cube logistics/e-commerce use and 261,360 square feet of ancillary commercial use. Therefore, this Alternative result in greater energy impacts than the Project.

Geology and Soils

The soil erosion or loss of topsoil from grading and excavation operations that would occur with the Project would also occur with this Alternative, since the entire site would be fully improved with either buildings, site paving, walkways, or landscaping. This Alternative would utilize the same mitigation as that associated with the Project and would similarly result in a less than significant impact.

As previously discussed above, the Project site is susceptible to loss of topsoil, impacts from strong seismic activity, and impacts on paleontological resources. This Alternative would likely introduce more people to the area that could be impacted by hazardous geologic conditions. As such, this Alternative would be required to implement enhanced mitigation measures to reduce significant impacts, similar to the Project. In terms of exacerbating geologic hazards, construction and operation of this Alternative would not increase the risk of or from hazards including faults and seismicity, liquefaction, subsidence, collapse, expansive soils, landslides, soil stability, or slopes, compared to the Project. This Alternative would not exacerbate any of the listed existing geologic conditions. With regard to soil disturbance and erosion, although this Alternative would result in a greater area of soil disturbance, this Alternative also would implement an approved SWPPP and BMPs which would ensure these impacts remain less than significant. Ultimately, this Alternative would not change the existing geologic conditions under which the site would be developed.

Therefore, the Commercial Development Alternative would result in slightly increased impacts regarding seismicity, geology, and soils as compared to the Project.

Greenhouse Gas Emissions

Project-related GHG emissions would be significant and unavoidable despite implementation of Project Design Features (PDFs), Standard Conditions (SCs), GHG Reduction Measures, and **MMs GHG-1** through **MMs GHG-5**. Under this Alternative, GHG emissions are anticipated to be greater than the Project during long-term operations due to the increased project square footage and traffic associated with patrons of the commercial development. This Alternative is anticipated to promote increased production of GHG emissions, and increased vehicular emissions from an increase of employees and patrons when compared to the Project. Like the Project, the Commercial Development Alternative's GHG emissions would remain significant and unavoidable despite the implementation of all feasible mitigation.

Therefore, the Commercial Development Alternative would be environmentally equivalent to the Project by similarly resulting in a significant and unavoidable impact.

Hazards and Hazardous Materials

The Project's potential construction-related impacts involving increased safety risk to workers due to the transport, handling, and disposal of hazardous materials and waste, were considered to be less than significant with **MM HAZ-1** through **MM HAZ-3** incorporated. It is anticipated that this Alternative would produce similar hazards and hazardous material impacts as the Project, because the proposed buildings constructed within the SD-COM zoning designation are not anticipated to utilize, produce, or emit unusual quantities of hazardous materials during short-term construction or long-term operations. All findings of the Summary Assessment of Environmental Conditions and Land Use Restrictions prepared for the Project would be applicable to the Alternative. Commercial uses are anticipated to use some volume of materials such as cleaners, pesticides and fertilizers for landscaping, and other materials for machinery and equipment under this Alternative and the Project. These impacts also would be similar, and substantial differences in the potential risk of upset would not occur. Impacts compared to the Project would be equivalent.

Therefore, the Commercial Development Alternative would be environmentally equivalent to the Project.

Hydrology and Water Quality

The Commercial Development Alternative would be subject to the same hydrology and water quality regulations as the Project. This alternative would result in similar short-term impacts to water quality, since grading, excavation, and construction activities would occur. Similar to the Project, Impacts to hydrology and water quality would be less than significant and no mitigation measures would be required.

Both the Alternative and the Project would change the hydrologic conditions of the site through development of the Project site. The development of the Alternative would result in a decrease of the rate and amount of stormwater runoff and change its quality, by adding pervious surfaces and land uses in the form of 86.6 acres of landscaped areas. The Project's potential long-term hydrology and water quality impacts, which were concluded to be less than significant, would be the same with this Alternative. Any development under this Alternative would be subject to a water quality management plan and SWPPP with BMPs to minimize impacts from erosion and run-off water.

Therefore, the Commercial Development Alternative would be environmentally equivalent to the Project regarding hydrology and water quality impacts.

Land Use and Planning

Project impacts were determined to be less than significant. Under this Alternative, the Project site would be developed consistent with the allowed uses in the Development Code. Similar to the Project, approval of land use entitlements by the County would still be necessary to ensure logical and consistent development of the site.

Although the Development Code currently encourages Zoning districts with a suffix with a “COM” to include a focus on commercial Planned Development, development of the site under this Alternative would be incompatible with the surrounding industrial and heavy industrial uses to the west and south of the Project site and the existing ACS and Next Gen motorsport facility. Furthermore, based on the site’s size, orientation (association to Cherry Avenue and lack of street frontage) and proximity to other shopping facilities, the viability of supporting 7.8 million square feet of commercial space with General Retail, restaurant uses, etc. may not be feasible. Similar to the Project, this Alternative would not divide an established community.

Although Alternative 3 would be in compliance with all applicable development standards, this Alternative would be in conflict with adjacent uses. Therefore, this Alternative would result in greater impacts than the Project regarding land use and planning.

Mineral Resources

The Project would result in no impacts regarding Mineral Resources as the Project site is not currently identified for future mining recovery by the County. Under this Alternative, impacts to Mineral Resources would be similar to the Project since the site has already been evaluated for the Project. The Project is within an area designated as MRZ-3. Despite the Project’s location within this zone, the site’s previously disturbed and developed nature would make any impact to significant mineral resources unlikely. The Project site is currently disturbed with existing motorsports facility uses and the site is located within an urbanized commercial, industrial, and residential area. No aggregate recovery is practiced in the area. Therefore, this Alternative would be environmentally equivalent to the Project regarding Mineral Resources.

Noise

The Project’s construction-related noise impacts would be less than significant. The Project’s construction-related vibration impacts are also anticipated to be less than significant. The Project’s construction-related noise and vibration impacts would similarly occur with the Commercial Development Alternative, albeit to a greater extent, as construction of the commercial buildings with an increased total square footage compared to that of the Project would occur.

The major noise sources associated with the Project include the following: mechanical equipment (i.e., trash compactors, air conditioners, etc.); slow-moving trucks on the Project site, approaching and leaving the loading areas; activities at the loading areas (i.e., maneuvering and idling trucks, equipment noise); parking areas (i.e., car door slamming, car radios, engine start-up, and car pass-by); and off-site traffic noise. Noise associated with slow-moving trucks and activities at loading areas would be decreased under this Alternative, while noise associated with parking areas and off-site traffic are assumed to be increased. Therefore, the Alternative is anticipated to result in similar operational noise impacts when compared to the Project, similarly resulting in a significant unavoidable impact. Therefore, this Alternative would be environmentally equivalent to the Project.

Population and Housing

The Project site is located in the General Plan Commercial (C) Land Use Category and in the Special Development - Commercial (SD-COM) Zoning Designation and would be comprised of high-cube logistics/e-commerce uses, therefore under the Project it would have an indirect impact on population. Under this Alternative, the Project impacts would be similar to the Project. The Project site is located in the Policy Plan Commercial (C) Land Use Category and in the Special Development - Commercial (SD-COM) Zoning Designation. Because this Alternative would include several commercial buildings with an increased total square footage compared to the Project, it is anticipated that the demand for employees for the Alternative would be greater than the Project. It is anticipated that most employees would come from within the County and surrounding areas, and this would result in a similar demand for new workers potentially needing housing within the County and surrounding areas. Therefore, this Alternative would potentially result in greater impacts than the Project regarding population and housing.

Public Services and Recreation

Project impacts to public services would be less than significant, as the Project is not expected to significantly increase the number of residents in the community or increase demands on public services. Under the Commercial Development Alternative, the development of the Project site would occur similar to the Project. Demand for public services including fire protection and emergency medical services, law enforcement, and other general governmental services under this Alternative, would be similar to the Project. Under this Alternative and the Project, the Applicant would pay applicable fees to ensure an adequate level of services. Therefore, this Alternative would be environmentally equivalent to the Project regarding public services and recreation.

Transportation

During Project construction, the Project would generate construction-related traffic. Under this Alternative, an increased amount of construction-related traffic would be generated. This Alternative's impact would be greater than the Project's construction impacts.

Under this Alternative, operational traffic impacts including VMT and trip generation would be greater than the Project due to the increased traffic volume associated with patrons of the commercial businesses. This Alternative would be required to be evaluated by the County to ensure that it would not introduce any new curves or dangerous roadway segments and all intersections would be appropriately signalized and/or controlled to ensure safe vehicle movements, similar to the Project. Lastly, this Alternative would conform to all design requirements ensuring safe access for emergency responses, fire lanes, and needed radius for turning large vehicles. Therefore, this Alternative would result in similar impacts associated with transportation, and with appropriate planning and design it is anticipated that impacts would remain less than significant. Under this Alternative, the rate of passenger vehicle trips would be higher, but truck trips would be lower than the Project.

Therefore, the Commercial Development Alternative would result in increased impacts to transportation as compared to the Project.

Tribal Cultural Resources

The Project would result in less than significant impacts to undiscovered tribal cultural resources, with **MMs TCR-1** thru **MM TCR-4** incorporated. Under this Alternative, similar to the Project, development would be subject to the same mitigation as this Alternative would have similar impacts to tribal cultural resources.

This Alternative would be environmentally equivalent to the Project regarding tribal cultural resources and would require the same mitigation measures.

Utilities and Service Systems

Both this Alternative and the Project would result in an increased demand for utilities. This Alternative's demands for services including natural gas, electricity, water, wastewater treatment, and solid waste disposal are anticipated to be greater than that of the Project. Existing utilities would be extended and upgraded as needed during construction of the Project and this Alternative to serve the anticipated demands and to accommodate operation of each. While the Project and this Alternative would increase the overall demand for services, adequate capacity to serve this Alternative and the Project is anticipated. Project impacts to utilities and service systems would be less than significant in compliance with existing laws, ordinances, regulations, and standards. No additional unmitigated impacts to utilities and service systems including, electricity, natural gas, sewer, water, and telecommunications infrastructure, are anticipated to occur. It is anticipated that the Alternative would tie into existing utility lines within close proximity to the Project site.

Therefore, this Alternative would result in increased impacts to utilities and service systems as compared to the Project.

Wildfire

Project impacts were determined to be no impact. The Project would not contribute to wildfire risk or an increase in other impacts associated with wildfire hazards including pollution, flooding, and evacuation response times. Under the Commercial Development Alternative, the development of the Project site would occur similar to the Project. According to CAL FIRE's Fire and Resource Assessment Program, FHSZ Viewer, the Project site is not located in or near a State Responsibility Area (SRA); the nearest SRA to the development site is located approximately four miles to the north. The Project site is located in a Local Responsibility Area. In addition, the Project site does not contain lands classified as a VHFHSZ. The closest VHFHSZs are located approximately three miles to the north and south of the Project site. The commercial structures would be predominantly concrete which is not typically susceptible to fire. Specifically, the commercial buildings would be built consistent with the California Building Code requiring new buildings to use ignition-resistant construction methods and materials as well as have a fire suppression system, similar to the Project.

Neither this Alternative nor the Project would interfere with any emergency plan or evacuation plan. This Alternative also would not exacerbate any existing fire hazards associated with slopes or spreading of wildfire. Lastly, neither the Project nor this Alternative would require construction of any infrastructure

that could exacerbate fire hazards. Therefore, this Alternative would be environmentally equivalent to the Project regarding Wildfire.

Ability to Meet Project Objectives

The Commercial Project Alternative is not anticipated to meet all Project objectives, as identified above, to the same degree as the Project. Specifically, the this Alternative would generally meet the following Project objectives, including: (3) Provide a land use plan that is sensitive to the environment through avoidance of sensitive resources; (5) Provide a system of infrastructure that includes public and private transportation, sewer, water, drainage, solid waste disposal; (6) Facilitate the continued operation of the existing Speedway uses at the Next Gen motorsports facility; (9) Facilitate the establishment of design guidelines and development standards; and (13) Establish guidelines for energy efficiency that promote the conservation of energy resources.

However, the Commercial Project Alternative would not meet Project objectives including: (1) Maximize the efficient movement of good through the region; (2) Develop and operate a large format high-cube logistics and e-commerce center that maximizes the use of one of the few remaining large industrial sites; and would partially meet; (4) Develop a high-cube logistics and e-commerce center that is close to Interstate I-10; (7) Develop and operate an attractive large format high-cube logistics and e-commerce center in Southwestern San Bernardino County; (8) Develop a location for siting clean industry; (10) Develop and operate a large format logistics center that limit truck traffic disruption to residential areas; (11) Develop and operate a large format high-cube logistics and e-commerce center that positively contribute to the economy; and (12) Develop and operate employee-intensive facilities as this Alternative would have a smaller footprint and revenue-generating capacity.

Alternative 3 Summary

The commercial buildings proposed under Alternative 3 would cover a greater square footage than the Project as commercial and warehouse retail traditionally cover more lot coverage and are spread out to accommodate commercial storefronts with parking to accommodate shoppers and visitors. The increased Project size would likely create greater air quality, GHG, energy and transportation impacts due to the increased building footprint and corresponding vehicle trips and emissions. However, the Alternative's noise impacts are anticipated to be equivalent to those of the Project. This Alternative would be required to comply with all County Municipal Code requirements and minimum standards. Compared to the Project, the impacts related to Alternative 3 are mostly anticipated to be equivalent to the Project, with some impacts being greater (i.e., land use and planning and utility and service systems). Although the Commercial Project Alternative would not include high-cube logistics/e-commerce use of the Project and contribute to the efficient movement of goods, this Alternative would partially meet the Project objectives, including: (3) Provide a land use plan that is sensitive to the environment through avoidance of sensitive resources, aesthetically pleasing through application of design guidelines; (5) Provide a system of infrastructure that includes public and private transportation, sewer, water, drainage, solid waste disposal, and other essential facilities; (9) Facilitate the establishment of design guidelines and development standards that create a unique, well-defined identity; and (12) Develop and operate employee-intensive facilities.

6.9 Environmentally Superior Alternative

An EIR is required to identify the environmentally superior Alternative from among the range of reasonable alternatives that are evaluated. CEQA Guidelines § 15126.6(e)(2) requires that an Environmentally Superior Alternative be designated and states that if the Environmentally Superior Alternative is the No Project/No Build Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Based on the summary of information presented in **Table 6-1: Comparison of Project Alternatives Environmental Impacts with the Project**, the Environmentally Superior Alternative is Alternative 1: No Project/No Build Alternative. Because Alternative 1 would leave the Project site essentially unchanged and would not have the construction or operational impacts that would be associated with the Project, this Alternative would avoid all impacts than the Project or any of the other alternatives.

State CEQA Guidelines § 15126.6(e)(2) states that if the No Project/No Build Alternative is found to be environmentally superior, “the EIR shall also identify an environmentally superior alternative among the other alternatives.” Aside from the No Project/No Build Alternative, Alternative 2: Reduced Footprint Alternative would have the least environmental impacts because it would develop less of the Project area, resulting in a reduction in construction and operation-related impacts and would incrementally reduce impacts to resource areas, such as aesthetics, biological resources, energy, and noise.

The context of an environmentally superior alternative is based on the consideration of several factors including the reduction of environmental impacts to a less-than-significant level, and an alternative’s ability to fulfill the Project objectives with minimal impacts to the existing site and surrounding environment. According to **Table 6-1**, the No Project/No Build Alternative would be the Environmentally Superior Alternative because it would eliminate all of the potentially significant impacts of the Project. However, while the No Project/No Build Alternative is the Environmentally Superior Alternative, it is not capable of meeting the basic objectives of the Project.

After the No Project/No Build Alternative, the Environmentally Superior Alternative to the Project is the one that would result in the fewest or least significant environmental impacts. Based on the evaluation, Alternative 2: Reduced Footprint Alternative is the Environmentally Superior Alternative. This is the environmentally superior alternative because it is a less intense development as compared to the Project. Further, the Reduced Footprint Alternative would not produce more severe environmentally significant effects while allowing for the development of the high-cube logistics/e-commerce and ancillary commercial facilities. While this Alternative would meet the Project Objectives to a lesser degree than the Project because the Reduced Footprint Alternative would not allow for the same level of development of the larger high-cube logistics and e-commerce facilities and would still require the same level of infrastructure costs While this Alternative would meet some of the Project objectives such as objectives 1, 3, 4, 5, 6, 7, 8, 9, 10, and 13 and implement the objectives of the General Plan, this Alternative would not fully leverage use of the site to encourage investment or serve the area and region with additional distribution capacity, and it would not accomplish this to the same degree as would be accomplished by the proposed Project. Specifically, the smaller buildings included under this Alternative would not meet Project objective 2, 11, or 12 which is to develop and operate a large-format, high-cube logistics and

e-commerce center that maximizes the use of one of the few remaining large industrial sites. Consistent with objective 11, the Project would need to provide a positive fiscal balance to the County and to the Applicant. Accordingly, this Alternative would not support the same degree of economic development as proposed by the Project, would not create as much tax revenue, County fees (Development Impact fees, etc.), and would not create as many jobs in the County.

Table 6-1: Comparison of Project Alternatives Environmental Impacts with the Project

EIR Section	Alternatives			
	Project-Level Impacts	Alternative 1: No Project	Alternative 2: Reduced Footprint	Alternative 3: Commercial Development Alternative 4
4.1 Aesthetics	Less than Significant	-	-	=
4.2 Agriculture and Forestry Resources	Less than Significant	=	=	=
4.3 Air Quality	Significant and Unavoidable	-	=	=
4.4 Biological Resources	Less than Significant	-	-	=
4.5 Cultural Resources	Less than Significant	-	-	=
4.6 Energy	Significant and Unavoidable	-	-	+
4.7 Geology and Soils	Less than Significant	-	-	+
4.8 Greenhouse Gas Emissions	Significant and Unavoidable	-	=	=
4.9 Hazards and Hazardous Materials	Less than Significant	-	-	=
4.10 Hydrology and Water Quality	Less than Significant	-	-	=
4.11 Land Use and Planning	Less than Significant	-	=	+
4.12 Mineral Resources	Less than Significant	=	=	=
4.13 Noise	Significant and Unavoidable	-	-	=
4.14 Population and Housing	Less than Significant	=	-	+
4.15 Public Services	Less than Significant	-	-	=
4.16 Recreation	Less than Significant	-	-	=
4.17 Transportation	Less than Significant	-	-	+
4.18 Tribal Cultural Resources	Less than Significant	-	-	=
4.19 Utilities and Service Systems	Less than Significant	-	-	+
4.20 Wildfire	Less than Significant	=	=	=
Attainment of Project Objectives	Meets all of the Project Objectives	Meets none of the Project Objectives	Meets some of the Project Objectives, but not to the same degree as the Project	Meets some of the Project Objectives
Notes: A minus (-) sign means the Project Alternative has reduced impacts when compared to the Project/is environmentally superior. A plus (+) sign means the Project Alternative has increased impacts when compared to the Project/is environmentally inferior. An equal sign (=) means the Project Alternative has similar impacts when compared to the Project/is environmentally equivalent.				

7.0

EFFECTS FOUND NOT TO BE SIGNIFICANT

7.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

Pursuant to California Environmental Quality Act (CEQA) Guidelines § 15128, “an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.”

A Notice of Preparation was circulated for the Speedway Commerce Center II Specific Plan (SCCIISP) Project (Project) by the Lead Agency, the County of San Bernardino. It was determined that detailed discussion and analysis for all environmental resource areas included in the State CEQA Guidelines, Appendix G would be evaluated in this Draft EIR. Therefore, an Initial Study was not prepared for the Project.

The potential environmental impacts associated with the Project are discussed in **Sections 4.1** through **4.20** of this Draft EIR. As identified through the analysis, and summarized in **Section 1.0: Executive Summary** of this Draft EIR, the Project would result in no impacts, less than significant impacts, and less than significant impacts with incorporation of project-specific mitigation measures for all resources, with the exception of air quality, energy, greenhouse gas emissions, and noise which would remain significant and unavoidable, regardless of the implementation of mitigation, project design features, and standard conditions of approval.

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8.0

EIR CONSULTATION AND PREPARATION

8.0 EIR CONSULTATION AND PREPARATION

This section is consistent with the requirements set forth in §21153 of the PRC and §15129 of the CEQA Guidelines, which states: “The EIR shall identify all federal, state, or local agencies, other organizations, and private individuals consulted in preparing the draft EIR, and the persons, firm, or agency preparing the draft EIR, by contract or other authorization.” Refer to **Section 2.3: Notice of Preparation** for a summary of public notification and consultation.

The NOP and NOP comment letters are provided in **Appendix A: Notice of Preparation & Public Scoping Meeting**. The County provided multiple opportunities for public input, both as part of the CEQA process and as part of Project scoping. In addition to required public notifications under CEQA, the County has engaged in extensive consultation with the Native American tribes, pursuant to AB 52 and SB 18, as discussed further in **Section 4.18: Tribal Cultural Resources**.

8.1 EIR Consultation

Lead Agency

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Public Agencies/Organizations

- California Department of Fish and Wildlife (CDFW)
- City of Fontana
- Inland Empire Utilities Agency (IEUA)
- Metropolitan Water District (MWD)
- California Public Utilities Commission (PUC)
- Regional Water Quality Control Board (RWQCB)
- San Bernardino County Flood Control District
- San Bernardino County Special Districts
- South Coast Air Quality Management District
- United States Army Corps of Engineers (USACE),

Interested Parties

As noted above, the City engaged in public and agency consultation through the NOP and public scoping process. The following entities provided comments on the NOP, which have been considered as part of this EIR preparation process.

California Air Resources Board	<i>Robert Krieger, Branch Chief</i>
Californians Allied for a Responsible Economy (CARECA)	<i>Jeff Modrzejewski, Executive Director</i>
City of Fontana	<i>Rina Leung, Senior Planner</i>
City of Ontario	<i>Jay Bautista, Traffic/Transportation Manager</i>
City of Rancho Cucamonga	<i>Michael Smith, Principal Planner</i>
Fontana Water Company	<i>Josh Swift, Vice President and General Manager</i>
Inland Empire Biking Alliance	<i>Marven E. Norman, Executive Director</i>
Lozeau Drury LLP	<i>Molly Greene, Drury LLP</i>
Native American Heritage Commission	<i>Andrew Green, Cultural Resources Analyst</i>
Resident	<i>Mario Vasquez</i>
San Bernardino County, Department of Public Works	<i>Michael R. Perry, Supervising Planner</i>
South Coast Air Quality Management District	<i>Lijin Sun, Program Supervisor, CEQA IGR Planning, Rule Development & Area Sources</i>
The Metropolitan Water District of Southern California	<i>Sean Carlson, Team Manager</i>

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